

Civil War overshadowed four years of her childhood, followed by the terrible years of Yankee Carpetbaggers and so-called "Reconstruction" days. And Mrs. Billingsley has a clear memory of all the various political parties and campaigns, of cholera and yellow fever epidemics, panics and financial depressions, droughts, floods, fires, and earthquakes, Spanish-American and World Wars, and can recite the history of the killing of Sam Bass, and the famous Sutton and Taylor feud.

Since the death of her husband, Samuel W. Billingsley, some two years ago, at the age of eighty-six, she has made her home with her daughter, Mrs. R. B. Morris, of San Antonio. Her other daughter, Mrs. Bob Sapp, lives at Bastrop. One son, Turner Billingsley, lives at Conroe, and the other son, Kenneth Billingsley, lives in McAllen, where he has been the express agent for some years.

SIXTY-FOURTH DAY

(Wednesday, April 30, 1941.)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Carlton
Allen	Carrington
Allison	Cato
Alsup	Celaya
Anderson	Chambers
Avant	Clark
Bailey	Cleveland
Baker	Coker
Bean	Colson, Mrs.
Bell	Connell
Benton	Craig
Blankenship	Crossley
Boone	Crosthwait
Brawner	Daniel
Bray	Davis
Bridgers	Deen
Brown	Dickson of Bexar
Bruhl	Donald
Bullock	Dove
Bundy	Duckett
Burkett	Dwyer
Burnaman	Ellis

Eubank	McGlasson
Evans	McLellan
Favors	McMurry
Ferguson	McNamara
Files	Manford
Fitzgerald	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Goodman	Montgomery
Halsey	Moore
Hanna	Morgan
Hardeman	Morris
Hargis	Morse
Harris of Dallas	Murray
Harris of Hill	Nicholson
Hartzog	Pace
Heflin	Parker
Helpinstill	Pevehouse
Henderson	Phillips
Hileman	Price
Hobbs	Rampy
Howard	Reed of Bowie
Howington	Reed of Dallas
Hoyo	Ridgeway
Huddleston	Rhodes
Huffman	Roark
Hughes	Roberts
Humphrey	Sallas
Hutchinson	Senterfitt
Isaacks	Sharpe
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Spacek
Klingeman	Spangler
Knight	Stanford
Lansberry	Stinson
Lehman	Stubbs
Leyendecker	Taylor
Little	Thornton
Lock	Turner
Love	Vale
Lowry	Walters
Lucas	Wattner
Lyle	Weatherford
McAlister	White
McCann	Whitesides
McDonald	Winfree

Absent

Dickson of Nolan King

Absent—Excused

Smith of Atascosa Voigt

(Mr. Morse in the Chair.)

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, look upon the violence and destruction in much of the world, and have mercy upon the nations and the peoples who suffer so much in the selfish, ungodly war. We would pray again that our President and his advisers, our Congress and all in authority, may have great wisdom, and that if it be Thy will our own land to remain at peace. May we be true to our trust and to Thee in this good day to which Thou hast spared us. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important busineses:

Mr. Smith of Atascosa for today on motion of Mr. Roberts.

Mr. Voigt for today on motion of Mr. Skiles.

The following Member was granted leave of absence on account of illness:

Mr. Morgan for today on motion of Mr. Hanna.

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Sharpe offered the following resolution:

H. C. R. No. 104, To provide for the appointment of certain committee to make investigation in regard to agricultural problems.

Whereas, The 47th Texas Legislature passed House Concurrent Resolution No. 10 as quoted below:

Whereas, For more than a decade the Congress of the United States has enacted certain legislation designed to stabilize the agricultural industry of the nation and lift it out of its chaotic condition and to have the American farmer share a relatively larger part of the national income; and

Whereas, Despite all such efforts, the farm income has declined from sixteen and four-tenths (16.4) per cent of the aggregate national income in 1930 to six and six-tenths (6.6) per cent in 1939; and

Whereas, Such programs as have been provided by the government have resulted in temporary relief but have failed to give permanent stabilization to agriculture;

Whereas, Agricultural leaders throughout the nation recognize the imperative necessity of providing agriculture, our basic industry, a permanent national farm program which would assure to each American farmer his share of the annual national income in order that he might have the necessary purchasing power to provide himself and family with the necessities and comforts of life, and to support other American industries and labor; and

Whereas, The State of Texas, because of its vast area and varied soil types, topography and climate conditions, produces more agricultural and livestock products than any other state of the nation, is most vitally affected by the present condition of agriculture; now therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That a Committee composed of three (3) Members of the House and two (2) of the Senate be appointed by the Speaker of the House and the President of the Senate, respectively, and that this Committee be composed of Members of the House and Senate Agricultural Committees, for the purpose of studying the agricultural situation in the State of Texas in its relation to the general economic structure of the State and Nation, and that said Committee be and is hereby instructed to extend to farmers, stockmen, bankers, merchants and others who are sincerely interested in the welfare of agriculture, an invitation to appear before such Committee and offer suggestions relative to the enactment by the Congress of the United States of a National Farm Program Law that would bring to agriculture such relief as would give the industry its proper share of the national income; and be it further

Resolved, That when the said Committee has made such investigations as it may deem necessary, the said Committee is hereby instructed to compile a report of its findings to be used by the House and Senate in a memorial to the Congress of the United States for immediate action.

Whereas, The five Member Legislative Agricultural Study Committee created by the passage of House Concurrent Resolution No. 10 held open hearings in the following towns or cities: Hallettsville, Houston, Athens, Temple, Cisco, Lubbock, Harlingen, Waxahachie, Sherman, Denison. These hearings were well attended by representative citizens who gave information regarding the general conditions of their communities, freely expressing their views and making constructive suggestions for improvement of the national agricultural program; and

Whereas, Expressions of appreciation were given the AAA farm program as a temporary emergency measure, which as a whole had been beneficial. Most especially was approval given to the soil conservation features of the farm program; and

Whereas, It was generally admitted, however, that the present emergency AAA farm program should be replaced or so amended as to provide a national farm program which would give greater stabilization to American agriculture; a program which would be more constructive and enduring and which would give the American farmer greater security; and

Whereas, It was disclosed at these hearings that the populations of many important agricultural counties had suffered severe decline in the past ten years; that many capable and worthy tenants had been dispossessed because of the advent of the farm tractor and the AAA program, which induced extensive rather than intensive farming; and

Whereas, In view of the information, views and suggestions presented to the Texas Legislative Agricultural Study Committee; and therefore, be it

Resolved by the House of Representatives, the Senate concurring, that the Congress of the United States be memorialized and requested to so amend the present Agricultural Adjustment Act and/or the Soil Conservation and Domestic Allotment Act so as to provide a national farm program which will make provisions for the following:

(a) A two-price system for marketing agricultural commodities, providing that each farmer receive par-

ity price for his fair share of the domestic market and consumption, or that each farmer receive 85 per cent of the parity price for commodities produced on acreage allotted under the current AAA program.

(b) Providing a constructive soil conservation program, requiring the employment of approved conservation practices as eligibility to receiving parity price, adjustment payments or subsidies from the Federal Government.

(c) To encourage family size farming by limiting government benefits based on family household dependents; providing that five dependents constitute an average or base family, and the government benefits be increased or decreased as the number of family dependents vary from the established base family.

(d) Provide that the National Farm program be self-financing and not dependent upon annual congressional appropriations.

(e) Make available to the Federal Government Tenant Purchase Administration adequate funds to be loaned on long tenure at low interest rate, for the establishment of the maximum number of worthy families in farm homes.

(f) Provision of adequate funds for the education of 4-H Clubs and Home Demonstration Club girls, Vocational Agricultural F. F. A. boys.

(g) Removal of discriminatory freight rates.

(h) Downward revision of our tariff laws.

SHARPE,
EVANS,
RAMPY.

The resolution was read second time.

Mr. Hanna moved to refer the resolution to the Committee on State Affairs.

Mr. Sharpe moved to table the motion by Mr. Hanna.

The motion to table was lost.

Mr. Lehman moved as a substitute motion that the resolution be referred to the Committee on Agriculture.

Mr. Carlton moved to table the substitute motion by Mr. Lehman.

The motion to table prevailed.

Question then recurring on the motion to refer the resolution to the Committee on State Affairs, it prevailed.

GRANTING THE CITY OF AUSTIN CERTAIN EASEMENT

Mr. Carrington offered the following resolution:

H. C. R. No. 106, Granting the City of Austin Certain Easement.

Whereas, The City of Austin, Texas, is engaged in an expansion and improvement program involving the construction of a new boulevard through the City of Austin to be used for highway purposes and to be used as a link in the highway system of the State of Texas; and

Whereas, The expense of construction and maintenance of such boulevard is being assumed by the City of Austin and all necessary right-of-way therefor across lands privately owned is being procured by the City of Austin without expense to the State; and

Whereas, Said boulevard must traverse a strip of land belonging to the State of Texas, out of, and along the western boundary of, the grounds of the State Insane Hospital, as hereinafter described; and said boulevard must also traverse a strip of land belonging to the State of Texas, composed of a small part of the southeast corner of the campus of the Blind Institute of Texas and a strip diagonally crossing the State farm east of and adjacent to said Blind Institute campus property, as hereinafter described; now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the State Board of Control be, and it is hereby authorized, in consideration of the benefits accruing to the State of Texas from the construction and maintenance of such boulevard, to execute to the City of Austin an easement for street, boulevard and highway purposes, granting to the City of Austin a right to construct and perpetually maintain a street, boulevard or highway, and all grades and embankments necessary thereto, in and upon the following tracts of land:

Tract No. 1

A portion of the tract or parcel of land known as the State Hospital tract out of Outlots 79, 80 and 82, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and being a strip of land averaging forty (40) feet in width off the west side of the State Hospital tract and extending from West 38th Street northerly to West 45th Street.

Tract No. 2

A strip of land eighty (80) feet in width out of the Blind Institute campus property and the farm belonging to the State east of and adjacent to said Blind Institute campus property in Travis County, Texas, beginning at the intersection of West 45th Street and Morningside Avenue and extending in a northerly and northeasterly direction to intersect the present Georgetown Road at a location approximately one block south of Capitol Courts.

The boundaries of both of the strips of land above described are to be determined with more accuracy by survey of the Engineering Department of the City of Austin, and upon completion of such survey, the Board of Control is authorized, in the execution of the easement above provided for, to adopt the field notes of such survey and accurately define the boundaries of the land upon which such easement is granted by it as heren authorized.

CARRINGTON,
STANFORD.

The resolution was read second time and was adopted.

SENATE BILL NO. 11 ON PASSAGE TO THIRD READING

The Chair laid before the House, as postponed business, on its passage to third reading,

S. B. No. 11, A bill to be entitled "An Act providing for the licensing of certain Insurance Agents; etc.; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Boone moved to suspend the Rules in order that a motion may be made to reconsider the vote by

which the amendment by Mr. McDonald, and amendment by Mr. Chambers, were heretofore adopted to Senate Bill No. 11 on April 23.

The motion to suspend the Rules prevailed by the following vote:

Yeas—122

Allen	Hileman
Allison	Hobbs
Anderson	Howington
Avant	Hoyo
Bailey	Hughes
Baker	Humphrey
Bell	Isaacks
Benton	Jones
Boone	Kelly
Bray	Kennedy
Brown	Kersey
Bruhl	Kinard
Bullock	King
Bundy	Klingeman
Burkett	Knight
Burnaman	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Little
Celaya	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McMurry
Daniel	McNamara
Davis	Manford
Dickson of Bexar	Manning
Donald	Markle
Duckett	Martin
Dwyer	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Favors	Morris
Ferguson	Murray
Files	Pace
Fitzgerald	Parker
Fuchs	Price
Gandy	Rampy
Gilmer	Reed of Bowie
Goodman	Reed of Dallas
Halsey	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Sallas
Heflin	Senterfitt
Helpinstill	Sharpe
Henderson	Shell

Simpson	Turner
Skiles	Vale
Smith of Bastrop	Walters
Spacek	Wattner
Stanford	Weatherford
Stinson	White
Taylor	Whitesides
Thornton	Winfree

Nays—5

Alsup	McLellan
Brawner	Spangler
Hutchinson	

Absent

Bean	Hartzog
Blankenship	Howard
Bridgers	Huddleston
Chambers	Huffman
Deen	McGlasson
Dickson of Nolan	Nicholson
Dove	Pevhouse
Garland	Phillips
Hanna	Stubbs

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

Mr. McDonald moved to reconsider the vote by which the amendment offered by himself, striking out the word "fire" in line 26, Section 20, was adopted.

The motion to reconsider prevailed.

On motion of Mr. Boone, the amendment by Mr. McDonald was tabled.

Mr. Chambers moved to reconsider the vote by which the amendment heretofore offered by himself was adopted.

The motion to reconsider prevailed.

Mr. Chambers then withdrew the pending amendment.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 11 was then passed to third reading.

SENATE BILL. NO 11 ON
THIRD READING

Mr. Boone moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Allen	Hardeman
Allison	Hargis
Alsup	Harris of Dallas
Anderson	Heflin
Avant	Helpinstill
Bailey	Henderson
Baker	Hileman
Bell	Hobbs
Benton	Howard
Blankenship	Howington
Boone	Hoyo
Bray	Hughes
Bridgers	Humphrey
Brown	Jones
Bruhl	Kelly
Bullock	Kennedy
Bundy	Kersey
Burkett	Kinard
Burnaman	King
Carlton	Klingeman
Carrington	Knight
Cato	Lehman
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Crosthwait	McDonald
Daniel	McGlasson
Davis	McMurry
Dickson of Bexar	McNamara
Duckett	Manford
Dwyer	Markle
Ellis	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morris
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Phillips
Halsey	Price

Rampy	Spangler
Reed of Bowie	Stanford
Reed of Dallas	Stinson
Ridgeway	Stubbs
Rhodes	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Vale
Sharpe	Walters
Shell	Wattner
Simpson	Weatherford
Skiles	White
Smith of Bastrop	Whitesides
Spacek	Winfree

Nays—6

Brawner	Lansberry
Harris of Hill	McLellan
Hutchinson	Senterfitt

Absent

Bean	Hartzog
Deen	Huddleston
Dickson of Nolan	Huffman
Donald	Isaacks
Dove	Manning
Eubank	Nicholson
Goodman	Pevehouse
Hanna	

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

The Chair then laid Senate Bill No. 11 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—120

Allen	Carrington
Allison	Cato
Alsup	Celaya
Anderson	Chambers
Avant	Clark
Bailey	Cleveland
Baker	Coker
Bell	Colson, Mrs.
Benton	Connelly
Boone	Craig
Bray	Crossley
Bridgers	Crosthwait
Brown	Daniel
Bruhl	Davis
Bullock	Dickson of Bexar
Bundy	Donald
Burkett	Duckett
Burnaman	Dwyer
Carlton	Ellis

Eubank	McNamara
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Martin
Fitzgerald	Matthews
Garland	Mills
Gilmer	Montgomery
Halsey	Moore
Hardeman	Morris
Hargis	Murray
Harris of Dallas	Pace
Heflin	Parker
Helpinstill	Phillips
Henderson	Price
Hileman	Rampy
Howard	Reed of Bowie
Howington	Reed of Dallas
Hoyo	Ridgeway
Hughes	Roark
Humphrey	Roberts
Hutchinson	Sallas
Jones	Sharpe
Kelly	Shell
Kennedy	Simpson
Kersey	Skiles
Kinard	Smith of Bastrop
King	Spacek
Klingeman	Spangler
Lansberry	Stanford
Leyendecker	Stinson
Little	Stubbs
Lock	Taylor
Love	Thornton
Lowry	Turner
Lucas	Vale
Lyle	Walters
McCann	Weatherford
McDonald	White
McGlasson	Whitesides
McMurry	Winfree

Nays—2

Brawner Senterfitt

Present—Not Voting

McLellan

Absent

Bean	Hobbs
Blankenship	Huddleston
Deen	Huffman
Dickson of Nolan	Isaacks
Dove	Knight
Fuchs	Lehman
Gandy	McAlister
Goodman	Nicholson
Hanna	Pevehouse
Harris of Hill	Rhodes
Hartzog	Wattner

Absent—Excused

Morgan Voigt
Smith of Atascosa

Mr. Simpson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 88 ON
THIRD READING

The Chair laid before the House, on its third reading and final passage,

S. B. No. 88, A bill to be entitled "An Act providing a special fishing license for those who fish in the waters of Lake Worth and Eagle Mountain Lakes, or either of them, etc.; and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 184 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 184, A bill to be entitled "An Act providing for the appointment of an official court reporter in and for each District Court, Criminal Court, and County Court of Bexar County, etc.; and declaring an emergency."

The bill was read second time.

Mr. Dickson of Bexar offered the following committee amendment to the bill:

Amend Senate Bill No. 184 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 1, Chapter 469, Forty-fifth Legislature, Regular Session (1937), be and the same is hereby amended so as to hereafter read as follows:

"Section 1. That the official shorthand reporter of each district court, criminal district court and county court-at-law in each county in the State of Texas having a population in excess of three hundred and thirty-seven thousand (337,000) inhabitants, according to the last preceding or any future Federal

Census shall receive a salary of Thirty-six Hundred Dollars (\$3600.00) per annum in addition to the compensation for transcript fees as provided by law. Said salary shall be paid monthly on approval of the Judge of such court out of either the general fund or the jury fund of the county, as the Commissioners Court of the county may elect."

Sec. 2. The fact that official shorthand reporters of many counties having a population in excess of three hundred and thirty-seven thousand (337,000) inhabitants, according to the last preceding Federal Census, are now being compensated out of the general fund of said counties and that the courts in these counties are in continuous session, that living costs are greater in the more populous counties, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three (3) several days be and the same is hereby suspended, and this Act shall become effective from and after its passage, and it is so enacted.

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 184 was then passed to third reading.

SENATE BILL NO. 184 ON THIRD READING

Mr. Dickson of Bexar moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen	Benton
Allison	Blankenship
Alsup	Brawner
Avant	Bray
Bailey	Bridgers
Baker	Brown

Bruhl	Knight
Bullock	Lansberry
Bundy	Lehman
Burkett	Little
Burnaman	Lock
Carlton	Love
Carrington	Lowry
Cato	Lucas
Chambers	Lyle
Clark	McAlister
Cleveland	McCann
Coker	McDonald
Colson, Mrs.	McGlasson
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Crosthwait	Manford
Daniel	Markle
Dickson of Bexar	Martin
Donald	Matthews
Duckett	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morris
Favors	Murray
Ferguson	Pace
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Garland	Reed of Bowie
Halsey	Reed of Dallas
Hardeman	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roark
Hartzog	Roberts
Heflin	Sallas
Helpinstill	Senterfitt
Hileman	Shell
Hobbs	Simpson
Howard	Skiles
Howington	Smith of Bastrop
Hoyo	Spacek
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Isaacks	Turner
Jones	Walters
Kelly	Wattner
Kennedy	Weatherford
Kersey	White
Kinard	Whitesides
Klingeman	Winfree

Nays—1

Davis

Absent

Anderson	Deen
Bean	Dickson of Nolan
Bell	Dove
Boone	Dwyer
Celaya	Files

Gilmer	Manning
Goodman	Nicholson
Hanna	Parker
Harris of Hill	Pevehouse
Henderson	Sharpe
Huddleston	Spangler
Huffman	Stanford
King	Stinson
Leyendecker	Vale

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

The Chair then laid Senate Bill No. 184 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—112

Allen	Hargis
Allison	Harris of Dallas
Alsup	Heflin
Avant	Helpinstill
Bailey	Hileman
Baker	Hobbs
Bell	Howington
Benton	Hughes
Brawner	Humphrey
Bray	Hutchinson
Brown	Isaacks
Bruhl	Kelly
Bullock	Kennedy
Burkett	Kersey
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Clark	Leyendecker
Cleveland	Little
Coker	Lock
Colson, Mrs.	Love
Connelly	Lowry
Craig	Lucas
Crosthwait	Lyle
Daniel	McAlister
Dickson of Bexar	McCann
Donald	McDonald
Dove	McGlasson
Duckett	McLellan
Dwyer	McMurry
Ellis	McNamara
Eubank	Manford
Favors	Manning
Ferguson	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Halsey	Montgomery
Hardeman	Moore

Morris	Simpson
Murray	Skiles
Pace	Smith of Bastrop
Phillips	Spacek
Price	Stanford
Rampy	Stubbs
Reed of Bowie	Taylor
Reed of Dallas	Thornton
Ridgeway	Turner
Rhodes	Vale
Roark	Walters
Roberts	Wattner
Sallas	Weatherford
Senterfitt	White
Sharpe	Whitesides
Shell	Winfree

Nays—1

Davis

Present—Not Voting

Garland

Absent

Anderson	Harris of Hill
Bean	Hartzog
Blankenship	Henderson
Boone	Howard
Bridgers	Hoyo
Bundy	Huddleston
Celaya	Huffman
Chambers	Jones
Crossley	Kinard
Deen	King
Dickson of Nolan	Nicholson
Evans	Parker
Files	Pevehouse
Gilmer	Spangler
Goodman	Stinson
Hanna	

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

SENATE BILL NO. 209 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 209, A bill to be entitled "An Act to amend Section 19 of Senate Bill No. 111, Chapter 61, page 100, Acts Second Called Session of the 41st Legislature, etc., providing when, how and under what circumstances building and loan associations may make loans, etc.; and declaring an emergency."

The bill was read second time.

Mr. Montgomery offered the following committee amendments to the bill:

Amend Senate Bill No. 209 by striking out all of Section 2 thereof and insert in lieu thereof the following:

"Sec. 2. That a new section to be known as Section 38-c shall be added to Section 38 of Chapter 61, page 100, Acts Second Called Session of the 41st Legislature, which said new section shall read as follows:

"Sec. 38-c. Any building and loan association, organized and operating under the laws of this State, (a) may make loans, advance credit and purchase obligations representing loans and advances of credit for the purpose of building residential properties in 'defense housing areas' when such loans and obligations are secured by a mortgage that is insured against loss as a 'Defense Housing Insured Mortgage' by the Federal Housing Administrator under provisions of the National Housing Act, approved June 27, 1934, as amended and as may hereafter be amended, and which obligations and mortgages are created subject to the rules and regulations as have been or which may hereafter be prescribed by the Federal Housing Administrator; and (b) may make loans, advance credit, and purchase obligations representing loans and advances of credit for the purpose of financing alterations, repairs and improvements upon or in connection with existing structures, and the building of new structures, upon urban and suburban real property, by the owners thereof or by lessee of such real property where the association is insured against losses that it may sustain as a result of such loans, advances of credit, and purchases of obligations under provisions of Title 1 of the National Housing Act, approved June 27, 1934, as amended and as may hereafter be amended, and subject to the rules and regulations as have been or may hereafter be prescribed by the Federal Housing Administrator; and (c) may purchase the fee simple title to real property upon which improvements have been erected out of the proceeds of a loan which is

secured by an obligation and mortgage, authorized, created and insured under provisions of the National Housing Act, approved June 27, 1934, as amended and as may hereafter be amended, and which obligation and mortgage is in compliance with the rules and regulations prescribed by the Federal Housing Administrator, provided, that at the time of such purchase there is a valid lease in effect creating a leasehold interest in such land and improvements thereon, which lease has a term of at least twenty years from the date of the note and complies with all requirements, terms, conditions, rules and regulations of the Federal Housing Administrator; and (d) may make loans to members secured by the pledge of the association's shares or share accounts, either participating or non-participating, which shares or share accounts through the payment of uniform weekly or monthly dues or share payments contracted to be made thereupon shall equal the amount of the loan to the member, provided, the aggregate of the unpaid principal of all loans made to any one member of the association under the provisions of sub-paragraph '(d)' hereof shall not exceed at any time the sum of three hundred dollars, that such loan shall be payable when the shares or share account equals the amount of the loan which shall not exceed eighteen months from its date and which loan may bear interest not in excess of the lawful contract rate, which may be deducted in advance. Such associations may charge reasonable fees for investigation, appraisal or other costs incident to the application and the loan but not exceeding one dollar for each fifty dollars or major fraction thereof, and may take such additional security as they may deem necessary or proper. The aggregate total amount of the unpaid principal of loans held by any association at any one time, as authorized by sub-paragraph '(d)' hereof, shall be included within the amount and shall not exceed the prescribed limitation placed upon the aggregate amount of funds authorized to be invested by any association under the provisions of subdivision five of Section 38 of the Acts of the 2nd

Called Session of the 41st Legislature, Chapter 61, page 100, as amended, and, provided further, that where such association is an 'insured' association subject to the provisions of Title IV of the National Housing Act, approved June 27th, 1934, as amended, before any such association may make any loans authorized under sub-paragraph '(d)' hereof prior permission in writing must be given by the Federal Savings and Loan Insurance Corporation, Washington, D. C., and a copy of such permission filed with the State Banking Commissioner of Texas; provided, that no law of this State prescribing the nature, amount, or form of security or requiring security upon which loans or advances of credit may be made by building and loan associations or prescribing or limiting the period for which loans or advances of credit may be made, or prescribing or limiting the amount of the monthly payment of dues upon the installment shares of such associations, shall be deemed to apply to loans, advances of credit or purchases of obligations made pursuant to the authority granted herein under '(a)', '(b)' and '(d)' hereof, and no law of this State relating to the acquisition, handling and disposition of real property by building and loan associations shall be deemed to apply to the authority granted herein under '(c)' hereof; and, provided further, that the Banking Commissioner of Texas is hereby authorized to prescribe additional regulations applying to the making of loans, advancing of credit, and purchase of obligations and real property, as authorized herein, if in his judgment the protection of investors requires such additional regulations, and notice of his order fully setting out such additional regulations shall be given by registered mail to each building and loan association operating under his supervision at least thirty days prior to the effective date of such order, and after the effective date so provided, it shall thereafter be unlawful for any association to exercise the authority herein given without full compliance with such additional regulations. The provisions of this Act shall be cumulative of all other provisions of

the laws of Texas relating to the investment and lending of funds and moneys of building and loan associations, chartered and doing business under the laws of this State."

Amend the caption of Senate Bill No. 209 by inserting between the word "may" and the term "purchase the fee simple title," the following: "make short term loans to members and"

The committee amendments were severally adopted.

Senate Bill No. 209 was then passed to third reading.

SENATE BILL NO. 209 ON THIRD READING

Mr. Montgomery moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 209 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen	Donald
Allison	Duckett
Alsup	Dwyer
Anderson	Eubank
Avant	Evans
Bailey	Favors
Baker	Ferguson
Bell	Files
Benton	Fitzgerald
Blankenship	Fuchs
Brawner	Gandy
Bridgers	Garland
Brown	Halsey
Bruhl	Hardeman
Bullock	Hargis
Bundy	Harris of Dallas
Burkett	Harris of Hill
Burnaman	Heflin
Carlton	Helpinstill
Carrington	Hileman
Clark	Hobbs
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Hughes
Connelly	Humphrey
Craig	Hutchinson
Crossley	Jones
Crosthwait	Kelly
Daniel	Kennedy
Davis	Kersey
Dickson of Bexar	Kinard

Klingeman	Nicholson	Yeas—121	
Knight	Pace	Allen	Kelly
Lansberry	Parker	Allison	Kennedy
Lehman	Phillips	Anderson	Kersey
Leyendecker	Price	Avant	Kinard
Little	Rampy	Bailey	Klingeman
Lock	Reed of Bowie	Baker	Knight
Love	Reed of Dallas	Bell	Lansberry
Lowry	Ridgeway	Benton	Lehman
Lucas	Rhodes	Blankenship	Leyendecker
Lyle	Roberts	Brawner	Little
McAlister	Sallas	Bridgers	Lock
McCann	Senterfitt	Brown	Love
McDonald	Sharpe	Bruhl	Lowry
McGlasson	Skiles	Bullock	Lucas
McLellan	Smith of Bastrop	Bundy	Lyle
McMurry	Spacek	Burkett	McAlister
McNamara	Spangler	Burnaman	McDonald
Manford	Stanford	Carlton	McGlasson
Markle	Taylor	Carrington	McLellan
Martin	Thornton	Cato	McMurry
Matthews	Turner	Clark	McNamara
Mills	Walters	Cleveland	Manford
Montgomery	Wattner	Coker	Manning
Moore	Weatherford	Colson, Mrs.	Markle
Morris	White	Connelly	Martin
Murray	Whitesides	Craig	Matthews
		Crossley	Mills
		Crosthwait	Montgomery
		Daniel	Moore
		Davis	Morris
		Dickson of Bexar	Nicholson
		Donald	Pace
		Duckett	Parker
		Dwyer	Phillips
		Ellis	Price
		Eubank	Rampy
		Evans	Reed of Bowie
		Favors	Reed of Dallas
		Ferguson	Ridgeway
		Files	Rhodes
		Fitzgerald	Roberts
		Fuchs	Sallas
		Gandy	Senterfitt
		Garland	Sharpe
		Halsey	Simpson
		Hardeman	Skiles
		Hargis	Smith of Bastrop
		Harris of Dallas	Spacek
		Harris of Hill	Spangler
		Heflin	Stanford
		Helpinstill	Stubbs
		Hileman	Taylor
		Hobbs	Thornton
		Howard	Turner
		Howington	Walters
		Hoyo	Wattner
		Huffman	Weatherford
		Hughes	White
		Humphrey	Whitesides
		Hutchinson	Winfree
		Jones	
Nays—1			
Bray			
Present—Not Voting			
Stubbs			
Absent			
Bean	Howard		
Boone	Huddleston		
Cato	Huffman		
Celaya	Isaacks		
Chambers	King		
Deen	Manning		
Dickson of Nolan	Pevehouse		
Dove	Roark		
Ellis	Shell		
Gilmer	Simpson		
Goodman	Stinson		
Hanna	Vale		
Hartzog	Winfree		
Henderson			
Absent—Excused			
Morgan	Voigt		
Smith of Atascosa			
The Chair then laid Senate Bill No. 209 before the House on third reading and final passage.			
The bill was read third time and was passed by the following vote:			

Nays—1

Bray

Absent

Alsup	Henderson
Bean	Huddleston
Boone	Isaacks
Celaya	King
Chambers	McCann
Deen	Murray
Dickson of Nolan	Pevehouse
Dove	Roark
Gilmer	Shell
Goodman	Stinson
Hanna	Vale
Hartzog	

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

SENATE BILL NO. 282 ON
SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 282, A bill to be entitled "An Act regulating fishing in or on Lake Travis and Lake Austin, and defining such lakes, etc.; and declaring an emergency."

The bill was read second time.

Mr. Cleveland offered the following committee amendments to the bill:

Amend Senate Bill No. 282, in Section 5 thereof, by deleting therefrom the words and figures "any crappie less than eight (8) inches in length," and substituting in lieu thereof the words and figure

"any crappie less than seven (7) inches in length."

Amend Senate Bill No. 282 by adding thereto a new section to be numbered 3a, and to read as follows:

Sec. 3a. The use of one throw-line, one pole-line not to exceed two hooks, and one trot-line containing not to exceed twenty (20) hooks per person, for cat fish in Lake Travis, is hereby authorized from the effective date of this Act to and including October 31, 1941, and this section shall not thereafter be effective.

Amend Senate Bill No. 282, Section 2, by adding thereto the following to the last line:

"except as hereinafter otherwise provided."

The committee amendments were severally adopted.

Mr. Lansberry offered the following amendment to the bill:

Amend Senate Bill No. 282 by striking out the words "Lake Travis" wherever they appear and inserting the words "Lake Travis in Travis County, Texas."

(Mr. Hardeman in the Chair.)

Mr. Carrington moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment by Mr. Lansberry, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 282 was then passed to third reading.

SENATE BILL NO. 282 ON
THIRD READING

Mr. Carrington moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Allen	Burnaman
Allison	Carlton
Alsup	Carrington
Bailey	Cato
Baker	Chambers
Bell	Clark
Benton	Cleveland
Blankenship	Coker
Boone	Colson, Mrs.
Bray	Connelly
Brown	Craig
Bruhl	Crosthwait
Bullock	Daniel
Bundy	Davis

Deen	Little
Dickson of Bexar	Lock
Dove	Love
Duckett	Lucas
Dwyer	Lyle
Ellis	McAlister
Eubank	McDonald
Evans	McGlasson
Favors	McMurry
Ferguson	McNamara
Files	Manford
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Goodman	Moore
Halsey	Morris
Hardeman	Nicholson
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Heflin	Price
Helpinstill	Rampy
Hileman	Reed of Bowie
Hobbs	Reed of Dallas
Howard	Ridgeway
Howington	Rhodes
Hoyo	Sallas
Huffman	Senterfitt
Hughes	Sharpe
Humphrey	Shell
Hutchinson	Simpson
Jones	Skiles
Kelly	Spangler
Kennedy	Stubbs
Kersey	Taylor
Kinard	Thornton
Klingeman	Turner
Knight	Walters
Lansberry	Wattner
Lehman	White
Leyendecker	Winfree

Present—Not Voting

Avant	Markle
Burkett	Roark
Crossley	Roberts
Lowry	Spacek
McLellan	

Absent

Anderson	Henderson
Bean	Huddleston
Brawner	Isaacks
Bridgers	King
Celaya	McCann
Dickson of Nolan	Manning
Donald	Morse
Gilmer	Murray
Hanna	Pace
Hartzog	Smith of Bastrop

Stanford	Weatherford
Stinson	Whitesides
Voigt	

Absent—Excused

Morgan	Vale
Smith of Atascosa	

The Chair then laid Senate Bill No. 282 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—112

Allen	Harris of Dallas
Allison	Harris of Hill
Alsup	Heflin
Bailey	Helpinstill
Baker	Hileman
Bell	Hobbs
Benton	Howard
Blankenship	Howington
Boone	Hoyo
Bray	Huffman
Brown	Hughes
Bruhl	Humphrey
Bullock	Hutchinson
Bundy	Jones
Burnaman	Kelly
Carlton	Kennedy
Carrington	Kersey
Cato	Kinard
Chambers	Klingeman
Clark	Knight
Cleveland	Lansberry
Coker	Lehman
Colson, Mrs.	Leyendecker
Connelly	Little
Craig	Lock
Crosthwait	Love
Daniel	Lucas
Davis	Lyle
Deen	McAlister
Dickson of Bexar	McDonald
Dove	McGlasson
Duckett	McMurry
Dwyer	McNamara
Ellis	Manford
Eubank	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morris
Fuchs	Nicholson
Gandy	Parker
Garland	Pevehouse
Goodman	Phillips
Halsey	Price
Hardeman	Rampy
Hargis	Reed of Bowie

Reed of Dallas	Spangler
Ridgeway	Stubbs
Rhodes	Taylor
Sallas	Thornton
Senterfitt	Turner
Sharpe	Walters
Shell	Wattner
Simpson	White
Skiles	Winfree

Present—Not Voting

Avant	Markle
Burkett	Roark
Crossley	Roberts
Lowry	Spacek
McLellan	

Absent

Anderson	King
Bean	McCann
Brawner	Manning
Bridgers	Morse
Celaya	Murray
Dickson of Nolan	Pace
Donald	Smith of Bastrop
Gilmer	Stanford
Hanna	Stinson
Hartzog	Voigt
Henderson	Weatherford
Huddleston	Whitesides
Isaacks	

Absent—Excused

Morgan	Vale
Smith of Atascosa	

TO SUSPEND CERTAIN RULES

Mr. Davis moved to suspend all necessary Rules for the purpose of making a motion to reconsider the vote by which House Bill No. 821 was, on yesterday, passed.

The motion to suspend the Rules was lost by the following vote:

Yeas—35

Bailey	Lansberry
Burnaman	Lock
Daniel	Lowry
Davis	Lucas
Deen	Lyle
Donald	McLellan
Duckett	McNamara
Gandy	Martin
Garland	Mills
Harris of Hill	Nicholson
Henderson	Parker
Hobbs	Rampy
Hoyo	Reed of Bowie
Isaacks	Reed of Dallas

Roberts	Thornton
Smith of Bastrop	Turner
Spacek	Walters
Stubbs	

Nays—80

Allen	Huffman
Alsup	Hughes
Anderson	Humphrey
Avant	Hutchinson
Baker	Jones
Benton	Kelly
Boone	Kennedy
Brawner	Kinard
Bray	King
Brown	Klingeman
Bruhl	Knight
Bullock	Leyendecker
Burkett	Little
Carlton	Love
Carrington	McAlister
Cato	McMurry
Chambers	Manning
Clark	Markle
Coker	Matthews
Connelly	Montgomery
Craig	Morris
Crossley	Morse
Crothwait	Pace
Dickson of Bexar	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Ridgeway
Favors	Rhodes
Ferguson	Roark
Files	Sallas
Fitzgerald	Senterfitt
Fuchs	Sharpe
Goodman	Simpson
Halsey	Spangler
Hargis	Stanford
Harris of Dallas	Wattner
Heflin	Weatherford
Helpinstill	White
Hileman	Whitesides
Howington	

Absent

Allison	Hartzog
Bean	Howard
Bell	Huddleston
Blankenship	Kersey
Bridgers	Lehman
Bundy	McCann
Celaya	McDonald
Cleveland	McGlasson
Colson, Mrs.	Manford
Dickson of Nolan	Moore
Dove	Murray
Dwyer	Shell
Gilmer	Skiles
Hanna	Stinson

Taylor Winfree
Vale

Absent—Excused

Morgan Voigt
Smith of Atascosa

**MOTION TO PLACE HOUSE BILL
NO. 505 ON SECOND READING**

Mr. Winfree moved that the necessary Rules be suspended, for the purpose of taking up and considering, at this time,

H. B. No. 505, A bill to be entitled "An Act to amend Chapter 11, Title 78, of the Revised Civil Statutes of the State of Texas for 1925, by adding thereto Article 4929A, providing for the recovery of penalties and attorney's fees where the insurer under a fire policy, in the event of a loss, fails to pay the same within sixty days after demand therefor; providing that such attorney's fees be taxed as a part of the costs; and declaring an emergency."

The roll of the House was called and the vote announced, as follows: Yeas 82; Nays 39.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—79

Alsup	Dove
Anderson	Duckett
Avant	Dwyer
Bailey	Ellis
Baker	Evans
Bell	Favors
Boone	Ferguson
Bruhl	Fitzgerald
Bullock	Gandy
Bundy	Garland
Burkett	Gilmer
Burnaman	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Clark	Heflin
Cleveland	Helpinstill
Coker	Hobbs
Connelly	Howard
Crossley	Hoyo
Daniel	Huffman
Deen	Humphrey
Dickson of Bexar	Hutchinson
Donald	Isaacks

Kennedy	Pevehouse
Kersey	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Ridgeway
Leyendecker	Roberts
Lock	Sallas
Love	Skiles
Lucas	Smith of Bastrop
Lyle	Stubbs
McCann	Taylor
McMurry	Thornton
Martin	Turner
Matthews	Walters
Montgomery	White
Pace	Winfree
Parker	

Nays—40

Allen	Lehman
Allison	Little
Blankenship	Lowry
Brawner	McGlasson
Bray	McLellan
Brown	McNamara
Carlton	Markle
Craig	Mills
Crosthwait	Moore
Davis	Morris
Eubank	Morse
Files	Reed of Bowie
Fuchs	Reed of Dallas
Halsey	Rhodes
Hanna	Roark
Henderson	Senterfitt
Howington	Simpson
Hughes	Spacek
Kelly	Spangler
King	Stinson

Absent

Bean	McAlister
Benton	McDonald
Bridgers	Manford
Carrington	Manning
Celaya	Murray
Colson, Mrs.	Nicholson
Dickson of Nolan	Sharpe
Goodman	Shell
Hartzog	Stanford
Hileman	Vale
Huddleston	Wattner
Jones	Weatherford
Kinard	Whitesides

Absent—Excused

Morgan Voigt
Smith of Atascosa

The Chair announced that the motion to suspend the Rules was lost

(not receiving the necessary two-thirds vote).

MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House Amendments to Senate Bill No. 402 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Aikin, Lemens, Lovelady, Fain and Metcalfe.

Passed

H. B. No. 444, A bill to be entitled "An Act to amend House Bill No. 20, Acts of the Forty-sixth Legislature, Regular Session, reciting the legislative determination and declaration of policy, etc.; and declaring an emergency." (With amendments.)

H. J. R. No. 24, Proposing an Amendment to Section 22 of Article V of the Constitution of Texas by adding thereto authority for the Legislature to increase, diminish, or change the probate or other jurisdiction of the County Court and to create additional Courts, etc. (With amendments.)

Adopted

S. C. R. No. 42, Recalling Senate Bill No. 292 from the Governor's office for correction.

S. C. R. No. 43, Requesting the House of Representatives to return House Bill No. 373 for further consideration.

Passed

H. B. No. 10, A bill to be entitled "An Act amending Article 349 of the Penal Code of the State of Texas; etc.; and declaring an emergency." (With amendments.)

H. B. No. 146, A bill to be entitled "An Act authorizing the Commissioners Court in all counties in the State of Texas to appropriate from the General Fund not more than Five (5) Cents on the one hundred dol-

lars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties, etc.; and declaring an emergency." (With amendments.)

The Senate has concurred in House Amendments to Senate Bill No. 362 by the following vote: Yeas, 28, nays, 0.

Respectfully,

BOB BARKER,

Secretary of the Senate.

(Speaker in the Chair.)

HOUSE BILL NO. 444 WITH SENATE AMENDMENTS

Mr. Chambers called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 444, A bill to be entitled "An Act to amend House Bill No. 20, Acts of the 46th Legislature, Regular Session, reciting the legislative determination and declaration of policy; describing the consequences of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts; providing the manner of election of members of the State Soil Conservation Board; etc.; and declaring an emergency."

Mr. Chambers moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 444:

Messrs. Chambers, Fuchs, Donald, Hobbs and Deen.

RECALLING HOUSE BILL NO. 373 FROM THE HOUSE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 43, recalling House Bill No. 373 from the House.

Be It Resolved by the Senate of Texas, the House of Representatives Concurring, That House Bill No. 373 be returned to the Senate for further consideration.

The resolution was read second time.

Mr. Alsup moved to table the resolution.

Question recurring on the motion to table. Yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—63

Alsup	Hoyo
Anderson	Isaacks
Bean	Kersey
Bell	Kinard
Boone	Klingeman
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bullock	Little
Clark	Love
Craig	Lowry
Crossley	Lyle
Davis	McAlister
Dickson of Bexar	McMurry
Dickson of Nolan	McNamara
Dove	Manford
Duckett	Morse
Dwyer	Nicholson
Eubank	Parker
Favors	Pevehouse
Fuchs	Reed of Bowie
Gilmer	Ridgeway
Goodman	Rhodes
Halsey	Roark
Hanna	Sharpe
Hardeman	Spacek
Harris of Dallas	Spangler
Hartzog	Stanford
Heflin	Taylor
Henderson	Thornton
Howard	Vale

Nays—76

Allen	Burkett
Allison	Carlton
Avant	Carrington
Bailey	Cato
Baker	Chambers
Benton	Cleveland
Blankenship	Coker
Brawner	Colson, Mrs.
Bray	Connelly
Bundy	Crosthwait

Daniel	McLellan
Deen	Markle
Donald	Martin
Ellis	Matthews
Evans	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morris
Gandy	Murray
Hargis	Pace
Harris of Hill	Phillips
Helpinstill	Price
Hileman	Rampy
Hobbs	Reed of Dallas
Howington	Roberts
Huddleston	Sallas
Hughes	Senterfitt
Humphrey	Simpson
Hutchinson	Skiles
Jones	Smith of Bastrop
Kelly	Stubbs
Kennedy	Turner
King	Walters
Knight	Wattner
Lock	Weatherford
Lucas	White
McCann	Whitesides
McGlasson	Winfree

Absent

Burnaman	McDonald
Celaya	Manning
Garland	Shell
Huffman	Stinson

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

Mr. Hardeman moved that the resolution be referred to the Committee on Liquor Traffic.

Mr. Morris moved to table the motion to refer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Allen	Burnaman
Allison	Carlton
Avant	Carrington
Bailey	Cato
Baker	Chambers
Benton	Cleveland
Blankenship	Coker
Brawner	Colson, Mrs.
Burkett	Connelly

Crosthwait	McGlasson
Daniel	McLellan
Davis	Markle
Deen	Martin
Donald	Matthews
Ellis	Montgomery
Evans	Moore
Ferguson	Morris
Files	Murray
Fitzgerald	Pace
Gandy	Phillips
Hargis	Price
Helpinstill	Rampy
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howington	Roark
Hoyo	Roberts
Huddleston	Simpson
Hughes	Skiles
Humphrey	Smith of Bastrop
Hutchinson	Stubbs
Jones	Turner
Kelly	Walters
Kennedy	Wattner
King	Weatherford
Knight	White
Lock	Whitesides
Lucas	Winfree
McCann	

Nays—60

Alsup	Kersey
Anderson	Kinard
Bean	Klingeman
Bell	Lansberry
Bray	Lehman
Bridgers	Leyendecker
Brown	Little
Bruhl	Love
Bullock	Lowry
Bundy	Lyle
Clark	McAlister
Craig	McMurry
Crossley	McNamara
Dickson of Bexar	Manford
Duckett	Manning
Dwyer	Mills
Eubank	Morse
Favors	Nicholson
Fuchs	Parker
Gilmer	Pevehouse
Goodman	Reed of Bowie
Halsey	Rhodes
Hanna	Senterfitt
Hardeman	Sharpe
Harris of Dallas	Spacek
Hartzog	Spangler
Heflin	Stanford
Henderson	Taylor
Howard	Thornton
Isaacks	Vale

Absent

Boone	Huffman
Celaya	McDonald
Dickson of Nolan	Sallas
Dove	Shell
Garland	Stinson
Harris of Hill	

Absent—Excused

Morgan	Voigt
Smith of Atascosa	

Question: Shall the resolution be adopted?

RECALLING SENATE BILL NO. 292 FROM THE GOVERNOR

The Speaker laid before the House, for consideration at this time, the following resolution:

Senate Concurrent Resolution No. 42, Recalling Senate Bill No. 292 from the Governor.

Whereas, Senate Bill No. 292 has passed both Houses of the Legislature and is now on the Governor's desk for his signature; and

Whereas, Such bill in the emergency clause as enrolled has an error, now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that said bill be recalled from the Governor's office, and such error be corrected by inserting immediately following the word "shrine" where it appears the first time in Section 4 of such bill, the following words: "of this character."

The resolution was read second time and was adopted.

REQUEST OF SENATE GRANTED

On motion of Mr. Reed of Dallas the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 402.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee:

Messrs. Reed of Dallas, Anderson, Roberts, Lock and Walters.

MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 56, A bill to be entitled "An Act to extend the time for the payment of all notes or obligations executed by purchasers of school land for the unpaid balance of principal due the State thereon until November 1, 1951; etc., and declaring an emergency."

H. B. No. 345, A bill to be entitled "An Act making an emergency appropriation for the remaining portion of the fiscal year ending August 31, 1941., etc.; and declaring an emergency."

H. B. No. 349, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas and the branches thereof, the Board of Directors of the Agricultural and Mechanical College and its branches, etc., to charge students building use fees of not to exceed Five Dollars (\$5) per semester for the construction and equipment of buildings and power plants; etc.; and declaring an emergency." (With amendments.)

H. B. No. 439, A bill to be entitled "An Act providing a closed season on wild deer and wild turkey in Williamson County, Texas; etc.; and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act creating a special road law for Hartley County, Texas; etc.; and declaring an emergency."

Has adopted Conference Committee report on House Bill No. 247 by following vote: Yeas 26; nays 2.

The Senate has refused to concur in House Amendments to Senate Bill No. 20 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Moore, Van Zandt, Shivers, Fain and Winfield.

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 275, "An Act to amend Article 6371 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 107, Acts of the Regular Session of the 42nd Legislature, which regulates the equipment of locomotives as to whistles and bells, etc.; and declaring an emergency."

S. B. No. 363, "An Act to fix the maximum rate of tax to be levied in all independent school districts having a scholastic population of not more than eight hundred forty (840), etc.; and declaring an emergency."

S. B. No. 266, "An Act providing for a separate depository for the administration of the school funds of the Prosper Independent School District, etc.; and declaring an emergency."

S. B. No. 369, "An Act to amend Section 1 of Chapter 88, page 189, Special Laws, 42nd Legislature, Regular Session, 1931, to empower and authorize certain counties to establish, own and operate a parental home and school for the training of dependent and delinquent youth resident of that county or city; and declaring an emergency."

HOUSE BILL ON FIRST READING

Mr. Reed of Bowie asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 982.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Reed of Bowie, Mr. Harde-man and Mr. McCann:

H. B. No. 982, A bill to be entitled "An Act making an appropriation, in addition to the several sums of money appropriated for such purposes by House Bill No. 271 of the 47th Legislature, for law books for

the Courts of Civil Appeals of Texas for the biennium beginning September 1, 1941, and ending August 31, 1943, and making such appropriations subject to the rules and restrictions respecting expenditure of appropriations in House Bill No. 271; and declaring an emergency."

Referred to the Committee on Appropriations.

RECESS

Mr. Kersey moved that the House recess until 2:30 o'clock p. m. today.

Mr. Harris of Dallas moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion of Mr. Kersey prevailed, and the House accordingly, at 12:15 o'clock p. m., took recess until 2:30 o'clock p. m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

Mr. Harris of Hill was granted leave of absence for the balance of the day on account of important business, on motion of Mr. Markle.

Mr. Fitzgerald was granted leave of absence for this afternoon on account of important business, on motion of Mr. Hileman.

COMMUNICATION

The Speaker laid before the House and had read the following communication:

Seton Hospital,
April 30, 1941.

Honorable Homer Leonard, Speaker of the House, and Members of the House of Representatives, 47th Legislature, Austin, Texas.

Dear Friends: I want to tell you of my deep appreciation for your sympathy in my illness, as expressed by the beautiful flowers you sent me, and the resolution offered in my behalf.

The resolution I shall always prize, and the flowers I shall always

remember as coming from one hundred and fifty sweet, sympathetic friends whom I shall always cherish.

I hope to be back with you again real soon, at which time, shall thank you in person.

Sincerely,

ZULA STEWART,
Calendar Clerk,
47th Legislature.

AUTHORIZING CERTAIN CORRECTIVE AMENDMENTS

By unanimous consent of the House, the Engrossing Clerk was authorized to make the necessary corrective amendments and to amend the captions in the bills passed during last evening.

REQUEST OF SENATE GRANTED

On motion of Mr. Stinson, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 20.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee:

Messrs. Stinson, Humphrey, Cros-thwait, Heflin and Allen.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 8

Mr. Stinson offered the following resolution:

H. C. R. No. 107, Authorizing Certain Correction in House Bill No. 8.

Whereas, House Bill No. 8 has passed the House of Representatives and the Senate, and in the Senate, among other amendments, was an amendment by Senator Van Zandt levying a gross premium tax on insurance companies and in such a manner Article 7064, Revised Civil Statutes, was amended; and

Whereas, The provisions of such article of our statute where reduction in the amount of the tax is authorized where certain investments were made, the word "entire" was used where the word "invested" should have been used;

Now, therefore, be it resolved, That the Enrolling Clerk of the

House of Representatives be and is hereby authorized to change the word "entire" to "invested."

The resolution was read second time and was adopted.

HOUSE BILL NO. 146 WITH SENATE AMENDMENTS

Mr. Bean called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 146, A bill to be entitled "An Act authorizing the Commissioners' Court in all counties in the State of Texas to appropriate from the general fund not more than five (5¢) cents on the One Hundred (\$100.00) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties, and providing for an election authorizing such appropriation; and creating and providing for the appointment of a Board of County Development, devoted to the growth, advertisement and development of such counties and their county seats; and declaring an emergency."

Mr. Bean moved that the House concur in Senate amendments to House Bill No. 146.

Mr. McAlister moved as a substitute motion that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

On motion of Mr. Bean, the substitute motion by Mr. McAlister was tabled.

The House then concurred in Senate amendments to House Bill No. 146 by the following vote:

Yeas—124

Allen	Brawner
Allison	Bridgers
Alsup	Brown
Avant	Bruhl
Bailey	Bullock
Baker	Burkett
Bean	Carlton
Bell	Carrington
Benton	Cato
Blankenship	Chambers
Boone	Clark

Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Dwyer
Ellis
Evans
Favors
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huffman
Humphrey
Isaacks
Jones
Kelly
Kennedy
Kersey
King
Klingeman
Knight
Lansberry
Lehman

Leyendecker
Little
Love
Lowry
Lucas
Lyle
McAlister
McDonald
McGlasson
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morris
Morse
Murray
Pace
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Sklies
Smith of Bastrop
Spacek
Spangler
Stanford
Stubbs
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—3

Bray
Eubank

Hughes

Absent

Anderson
Bundy
Burnaman
Celaya
Hartzog

Howard
Huddleston
Hutchinson
Kinard
Lock

McCann
McLellan
McMurry
Parker

Roark
Shell
Stinson

Absent—Excused

Harris of Hill Smith of Atascosa
Morgan Voigt
Nicholson

Mr. Bean moved to reconsider the vote by which the motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO INTRODUCE
CERTAIN BILL**

Mr. Bray moved to introduce the following bill:

By Mr. Bray:

H. B. No. —, A bill to be entitled "An Act setting forth certain qualifications before a person is eligible to be a candidate for, or to hold the office of United States Senator."

The motion was lost by the following vote:

Yeas—50

Allison	Hutchinson
Bailey	Kersey
Bean	Klingeman
Bray	Lansberry
Brown	Lehman
Bundy	Little
Carlton	Love
Celaya	Lyle
Clark	McAlister
Craig	McGlasson
Dickson of Bexar	McLellan
Dickson of Nolan	McNamara
Eubank	Manford
Favors	Markle
Fuchs	Martin
Garland	Murray
Halsey	Ridgeway
Hanna	Rhodes
Hargis	Roberts
Henderson	Senterfitt
Howard	Taylor
Howington	Vale
Huddleston	Walters
Huffman	Weatherford
Hughes	Whitesides

Nays—78

Allen Alsup

Avant
Baker
Benton
Blankenship
Boone
Brawner
Bullock
Burkett
Burnaman
Carrington
Cato
Chambers
Cleveland
Coker
Connelly
Crossley
Daniel
Davis
Donald
Dove
Duckett
Dwyer
Ellis
Evans
Ferguson
Files
Fitzgerald
Gandy
Gilmer
Goodman
Hardeman
Harris of Dallas
Heflin
Helpinstill
Hileman
Hobbs
Hoyo
Isaacks

Jones
Kelly
Kennedy
King
Knight
Leyendecker
Lock
Lowry
Lucas
McDonald
Manning
Matthews
Mills
Montgomery
Moore
Morris
Morse
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Sallas
Sharpe
Simpson
Skiles
Smith of Bastrop
Spacek
Spangler
Stanford
Stinson
Stubbs
Turner
Wattner
White
Winfree

Absent

Anderson	Humphrey
Bell	Kinard
Bridgers	McCann
Bruhl	McMurry
Colson, Mrs.	Reed of Dallas
Crosthwait	Roark
Deen	Shell
Hartzog	Thornton

Absent—Excused

Harris of Hill	Smith of Atascosa
Morgan	Voigt
Nicholson	

**RELATIVE TO HOUSE
BILL NO. 707**

By unanimous consent of the House, on motion of Mr. Manning, House Bill No. 707 was withdrawn from further consideration by the House.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

April 29th, 1941.

To the Forty-seventh Legislature:

Attorney General Mann recently submitted to me a report of his investigation of the activities of public utility corporations in municipal bond elections throughout the State and advised that in his opinion the present statutes seeking to regulate such practices are unenforceable by reason of conflicting penalties.

To correct these defects, I am submitting herewith as emergency legislation a bill prepared by the Attorney General and I trust you will give same your careful consideration.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

TEXT OF BILL SUBMITTED
BY GOVERNOR

H. B. No. —,

A BILL

To Be Entitled

An Act repealing Article 1350, Revised Civil Statutes of Texas, 1925; amending Article 1351 so as to make the penalty therein provided apply specifically to Articles 1348 and 1349, Revised Civil Statutes of Texas, 1925; amending Article 1351, Revised Civil Statutes, and Article 213, Penal Code of Texas, to prohibit corporations, their officers, directors, stockholders, employees and agents acting in their behalf, from expending or promising to expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office or to influence the vote on any question submitted to the voters; providing for an exception in elections directly affecting the granting, refusing, existence, or value of a franchise of a corporation which has the right of eminent domain, and providing that in such elections, all means of publicity employed by such corporation shall be identified as pay for by it; providing for the filing

of accounts of expenditures made in connection with such elections by corporations, persons, partnerships and associations, and limiting the amount thereof; providing penalties for corporations, their officers, directors, stockholders, employees and agents violating this Act and increased penalties and forfeiture of charter or permit of such corporation on second and subsequent violations; providing penalties for persons, partnerships and associations failing to make or falsely making required reports of expenditures in certain elections or exceeding authorized limits thereof; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 1350, Revised Civil Statutes of Texas, 1925, be and the same is hereby repealed.

Sec. 2. That Article 1351, Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

"Article 1351. Penalty. Any corporation which shall violate any provision of Article 1348 or Article 1349, Revised Civil Statutes of Texas, 1925, shall on proof thereof in any court of competent jurisdiction, forfeit its charter, permit or license, and all rights and franchises which it holds under, from or by virtue of the laws of this State.

"Whenever it appears that the money, assets, property or funds of a corporation have been issued, paid out, or used, in violation of any provision of said Articles 1348 or 1349, by any agent, attorney, director or officer of such corporation, it shall be considered the act of the corporation, unless, within one year from the date of such violation it has caused to be entered, through its board of directors on its records in this State, an order repudiating the wrong and permanently dismissing from its service all persons directly or indirectly connected with such violations."

Sec. 3. That Article 1352, Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

"Article 1352.

"(a) No corporation, domestic or foreign, and no officer, director,

stockholder, employee or agent, acting in behalf of any corporation, shall directly or indirectly give, pay, expend or contribute or promise to give, pay, expend or contribute any money or thing of value in order to aid or hinder the nomination or election of any person to public office in this State or any district, municipality, or political subdivision thereof, or in order to influence or affect the vote on any question to be voted by the qualified voters of this State or any district, municipality, or political subdivision thereof, provided, however, that:

"(b) In any election in this State or any district, municipality, or political subdivision thereof, wherein the question to be voted upon directly affects the granting, refusing, existence or value of any franchise granted to a corporation which has the right of eminent domain, such corporation may present facts and arguments to the voters bearing upon such question by any lawful means of publicity and pay the expense thereof; provided, however, that all such means of publicity employed shall contain a clear statement that the same are sponsored and paid for by such corporation; and the use of any such means of publicity by such corporation which do not contain such statement shall subject such corporation to the penalties hereinafter provided.

"(c) If any corporation authorized by Section (b) hereof, or if any person, partnership or association makes any expenditures or incurs any obligation directly or indirectly in excess of——Dollars for the purpose of influencing an election of the character described in Section (b) hereof, it shall be the duty of such corporation, person, partnership or association to file with the governing body of the political subdivision in which such election is held and also with the Secretary of State by mail, on the 5th day before the date of such election and also within ten (10) days after the date of such election, itemized, verified accounts correctly showing as of the date of filing, the amounts of money and description and value of all things given, paid, expended and contributed and the names of the recipients thereof and all amounts of

money and description and value of all things promised or obligated to be given, paid, expended and contributed, and the names of the promisees thereof, by such corporation, person, partnership or association, in connection with such election; all such accounts to be verified under oath by an officer of such corporation, or by such person or member of the partnership or association as the case may be; provided, however, that no such corporation, person, partnership or association may give, pay, expend, contribute or promise to give, pay, expend or contribute money and things of value of the total amount exceeding——Dollars, or exceeding——Dollars for each one hundred population of the district, municipality or political subdivision according to the last preceding Federal Census in which such election is held, whichever amount is greater; provided further that such amounts expended may not, in fixing rates to be charged by such corporation, be charged as operating cost or capital. Any corporation, person, partnership or association which shall fail to file the accounts as provided herein or if the same be false in any material respect; or if such expenditures shall exceed the limitation of expenditures provided herein, shall be subject to the penalties hereinafter provided.

"(d) Any corporation which shall violate any provision of this Article shall be subject to a penalty of not less than Five Thousand (\$5,000.00) Dollars nor more than One Hundred Thousand (\$100,000.00) Dollars to be recovered by a suit in the name of the State of Texas by the Attorney General or by any County or District Attorney, under his authority, in any District Court in Travis County or in the County or Counties where such election is held. The Attorney General or any other party to a suit brought under this Article shall have the right to subpoena witnesses and compel their attendance as provided in the Statutes of Texas relating to criminal cases. Any corporation which shall by final judgment have been found guilty of violating any provision of this Article, shall thereafter, for any subsequent violation of any provision of this Article be subject to a penalty of not less than

Fifty Thousand (\$50,000.00) Dollars nor more than Two Hundred Thousand (\$200,000.00) Dollars, and in addition to other penalties, its charter or permit to do business in Texas may be forfeited upon suit of the Attorney General, if in the judgment of the court before whom the litigation is pending, the public interest requires it. No penalties which may be paid hereunder, shall, in fixing rates to be charged by such corporation, be charged as operating cost or capital. Any person, partnership or association which shall violate any provision of Section (c) hereof shall be subject to a penalty of not more than Five Thousand (\$5,000.00) Dollars to be recovered in a suit in the name of the State of Texas by the Attorney General or any County or District Attorney under his authority in any District Court in Travis County or in the county or counties where such election is held."

Sec. 4. That Article 213, Penal Code of Texas be and the same is hereby amended so as hereafter to read as follows:

"Article 213.

"(a) No corporation, domestic or foreign, and no officer, director, stockholder, employer or agent, acting in behalf of any corporation, shall directly or indirectly give, pay, expend or contribute or promise to give, pay, expend or contribute any money or thing of value in order to aid or hinder the nomination or election of any person to public office in this State or any district, municipality, or political subdivision thereof, or in order to influence or affect the vote on any question to be voted upon by the qualified voters of this State or any district, municipality, or political subdivision thereof, provided, however, that:

"(b) In any election in this State or any district, municipality, or political subdivision thereof, wherein the question to be voted upon directly affects the granting, refusing, existence or value of any franchise granted to a corporation which has the right of eminent domain, such corporation may present facts and arguments to the voters bearing upon such question by any lawful means of publicity and pay the expense thereof; provided, however, that all such means of publicity employed shall

contain a clear statement that the same are sponsored and paid for by such corporation; and the use of any such means of publicity by such corporation which do not contain such statement shall subject such corporation to the penalties hereinafter provided.

"(c) If any corporation authorized by Section (b) hereof, or if any person, partnership or association makes any expenditures or incurs any obligation directly or indirectly in excess of—Dollars for the purpose of influencing an election of the character described in Section (b) hereof, it shall be the duty of such corporation, person, partnership or association to file with the governing body of the political subdivision in which such election is held and also with the Secretary of State by mailing to him on the 5th day before the date of such election and also within ten (10) days after the date of such election, itemized, verified accounts correctly showing as of the date of filing, the amounts of money and description and value of all things given, paid, expended and contributed and the names of the recipients thereof and all amounts of money and description and value of all things promised or obligated to be given, paid, expended and contributed, and the names of the promisees thereof, by such corporation, person, firm or association, in connection with such election; all such accounts to be verified under oath by an officer of such corporation, or by such person or member of the partnership or association as the case may be; provided, however, that no such corporation, person, partnership or association may give, pay, expend, contribute or promise to give, pay, expend or contribute money and things of value of the total amount exceeding—Dollars, or exceeding—Dollars for each one hundred population of the district, municipality or political subdivision according to the last preceding Federal Census in which such election is held, whichever amount is greater; provided further that such amounts expended may not, in fixing rates to be charged by such corporation, be charged as operating cost or capital. Any corporation, person, partnership or association which

shall fail to file the accounts as provided herein or if the same be false in any material respect; or if such expenditures shall exceed the limitation of expenditures provided herein, shall be subject to the penalties hereinafter provided.

"(d) Any person who shall violate any provision of this article, or as an officer, director or employer of a corporation, or as a member of a partnership or association, shall authorize or do any act in violation hereof shall be punished by a fine of not more than Five Thousand (\$5,000.00) Dollars or by imprisonment in jail for not more than six months, or both."

Sec. 5. Should any part or provision of this Act be held invalid, it is hereby declared to be the legislative intent that the remaining sections, provisions and portions shall not be affected thereby, but will remain effective after omitting such invalid provisions or parts.

Sec. 6. The fact that the Attorney General has declared the existing laws regulating campaign contributions and expenses by corporations are void because of vagueness, indefiniteness and conflicting provisions and penalties creates an emergency and an imperative public necessity that the Constitutional Rule which requires bills to be read on three several days in each House and the Constitutional Rule requiring bills to go into effect ninety days from and after their passage be and the same are hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 16, A bill to be entitled "An Act amending subdivision 83 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, workingmen and wage earners to protect them-

selves in their various pursuits, etc.; and declaring an emergency." (With amendment.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 10 WITH SENATE AMENDMENTS

Mr. Hanna called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 10, A bill to be entitled "An Act amending Article 349 of the Penal Code of the State of Texas, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

On motion of Mr. Hanna, the House concurred in the Senate amendments.

Mr. Hanna moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 10, and to table the motion to reconsider.

The motion to table prevailed.

RELATIVE TO RECALLING HOUSE BILL NO. 373 FROM THE HOUSE

The House resumed consideration of Senate Concurrent Resolution No. 43, Relative to recalling House Bill No. 373 from the House.

The resolution having heretofore been read second time.

Mr. Morse raised a point of order on the resolution, on the ground that the resolution requires a two-thirds vote for its adoption.

The Speaker overruled the point of order.

Mr. Alsup offered the following amendment to the resolution:

Amend Senate Concurrent Resolution No. 43 by striking out the resolving clause.

Mr. Blankenship moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 66; nays, 71.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—65

Allen	Humphrey
Allison	Hutchinson
Avant	Isaacks
Bailey	Jones
Baker	Kennedy
Blankenship	King
Boone	Knight
Brawner	Leyendecker
Bundy	Lock
Burkett	Lucas
Burnaman	McCann
Carlton	Manford
Carrington	Markle
Cato	Matthews
Cleveland	Mills
Coker	Moore
Connelly	Morris
Crosthwait	Murray
Daniel	Pace
Donald	Price
Ellis	Rampy
Evans	Reed of Bowle
Ferguson	Roberts
Files	Simpson
Gandy	Smith of Bastrop
Garland	Spacek
Hargis	Stinson
Helpinstill	Walters
Hileman	Wattner
Hobbs	White
Huddleston	Whitesides
Hughes	Winfree

Nays—70

Alsup	Deen
Anderson	Dickson of Bexar
Bean	Dove
Bell	Duckett
Benton	Dwyer
Bray	Eubank
Bridgers	Favors
Brown	Fuchs
Bruhl	Gilmer
Bullock	Goodman
Celaya	Halsey
Chambers	Hanna
Clark	Hardeman
Craig	Harris of Dallas
Crossley	Hartzog
Davis	Heflin

Henderson	Manning
Howard	Martin
Howington	Montgomery
Hoyo	Morse
Huffman	Parker
Kelly	Pevehouse
Kersey	Phillips
Kinard	Ridgeway
Klingeman	Rhodes
Lansberry	Senterfitt
Lehman	Sharpe
Little	Shell
Love	Skiles
Lowry	Spangler
Lyle	Stanford
McAlister	Taylor
McGlasson	Thornton
McLellan	Vale
McMurry	Weatherford
McNamara	

Absent

Colson, Mrs.	Roark
Dickson of Nolan	Sallas
McDonald	Stubbs
Reed of Dallas	Turner

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Speaker announced that the motion to table the amendment by Mr. Alsup was lost.

Question then recurring on the amendment by Mr. Alsup, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—71

Alsup	Dove
Anderson	Duckett
Bean	Dwyer
Bell	Eubank
Benton	Favors
Boone	Fuchs
Bray	Gilmer
Brown	Goodman
Bruhl	Halsey
Bullock	Hanna
Celaya	Hardeman
Chambers	Harris of Dallas
Clark	Hartzog
Craig	Heflin
Crossley	Henderson
Davis	Howard
Deen	Howington
Dickson of Bexar	Hoyo

Huffman	Montgomery
Kersey	Morse
Kinard	Parker
Klingeman	Pevehouse
Lansberry	Phillips
Lehman	Ridgeway
Little	Rhodes
Love	Roark
Lowry	Senterfitt
Lyle	Sharpe
McAlister	Shell
McDonald	Spangler
McGlasson	Stanford
McLellan	Taylor
McMurry	Thornton
McNamara	Vale
Manning	Weatherford
Martin	

Nays—61

Allison	Jones
Avant	Kennedy
Bailey	King
Baker	Knight
Blankenship	Leyendecker
Burkett	Lock
Burnaman	Lucas
Carlton	McCann
Carrington	Markle
Cato	Matthews
Cleveland	Mills
Coker	Moore
Connelly	Morris
Crosthwait	Murray
Daniel	Pace
Donald	Price
Ellis	Rampy
Evans	Reed of Bowie
Ferguson	Roberts
Files	Simpson
Gandy	Skiles
Garland	Smith of Bastrop
Hargis	Spacek
Helpinstill	Stinson
Hileman	Stubbs
Hobbs	Turner
Huddleston	Walters
Hughes	Wattner
Humphrey	Whitesides
Hutchinson	Winfree
Isaacks	

Absent

Allen	Kelly
Brawner	Manford
Bridgers	Reed of Dallas
Bundy	Sallas
Colson, Mrs.	White
Dickson of Nolan	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

Mr. Alsup moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 67; nays, 64.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—69

Allison	Kersey
Alsup	Kinard
Anderson	Klingeman
Bean	Lansberry
Bell	Lehman
Bray	Little
Brown	Love
Bruhl	Lowry
Bullock	McAlister
Celaya	McGlasson
Chambers	McLellan
Craig	McMurry
Crossley	McNamara
Davis	Manning
Deen	Martin
Dickson of Bexar	Montgomery
Dove	Morse
Duckett	Parker
Dwyer	Pevehouse
Eubank	Phillips
Favors	Reed of Dallas
Fuchs	Ridgeway
Gilmer	Rhodes
Goodman	Senterfitt
Halsey	Sharpe
Hanna	Shell
Hardeman	Skiles
Harris of Dallas	Spacek
Hartzog	Spangler
Heflin	Stanford
Henderson	Taylor
Howard	Thornton
Howington	Vale
Hoyo	Weatherford
Kelly	

Nays—63

Allen	Humphrey
Avant	Hutchinson
Bailey	Jones
Baker	Kennedy
Benton	King
Blankenship	Knight
Boone	Leyendecker
Brawner	Lock
Burkett	Lucas
Burnaman	McCann
Carlton	Manford
Carrington	Markle
Cato	Matthews
Cleveland	Mills
Coker	Moore
Connelly	Morris
Crosthwait	Murray
Daniel	Pace
Donald	Price
Ellis	Rampy
Evans	Reed of Bowie
Ferguson	Roberts
Files	Sallas
Gandy	Simpson
Garland	Smith of Bastrop
Hargis	Stinson
Helpinstill	Stubbs
Hileman	Walters
Hobbs	Wattner
Huddleston	Whitesides
Huffman	Winfree
Hughes	

Absent

Bridgers	Lyle
Bundy	McDonald
Clark	Roark
Colson, Mrs.	Turner
Dickson of Nolan	White
Isaacks	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Speaker announced that the motion to table prevailed.

MOTION TO SUSPEND
THE RULES

Mr. Morris moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the House refused to concur in Senate amendments to House Bill No. 373, and requested the appointment of a Conference Committee.

The motion to suspend the Rules was lost.

REQUESTING THE SENATE
FOR THE APPOINTMENT
OF A CONFERENCE
COMMITTEE

Mr. Alsup offered the following resolution:

H. S. R. No. 241, Requesting the Senate for the appointment of a Conference Committee.

Resolved, by the House, That the President of the Senate be requested to appoint the Senate conferees on House Bill No. 373 at the earliest possible moment in order that a report of the joint committee might be submitted to the two Houses within the shortest possible time; and

Be it further resolved, That the Chief Clerk of the House forward a copy of this resolution to the President of the Senate.

The resolution was read second time.

(Mr. Isaacks in the Chair.)

Question recurring on the resolution by Mr. Alsup, it was adopted.

EXPRESSING SYMPATHY OF THE
HOUSE TO ERNEST BOYETT

Mr. Little offered the following resolution:

H. S. R. No. 240, Expressing Sympathy of the House to Ernest Boyett.

Whereas, It is the sense of the entire Membership of the House of Representatives that we deeply regret the absence of our beloved Sergeant at Arms, Ernest Boyett, due to his illness; and

Whereas, We deeply miss his genial spirit of cooperation at all times, with each and every Member of this House of Representatives; now, therefore, be it

Resolved, That the Membership of the House of Representatives express to our Sergeant at Arms and to his family our best wishes for his speedy recovery; and be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward a copy of this resolution to Mr. Boyett.

LITTLE,
McNAMARA.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crowthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Hefflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 247

Mrs. Colson submitted the following Conference Committee report on House Bill No. 247:

Austin, Texas, April 22, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House on House Bill No. 247, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said bill be adopted in the form attached hereto.

Respectfully submitted,

FAIN,
METCALFE,
GRAVES,
FORMBY,
HAZLEWOOD,

On the part of the Senate.

MRS. COLSON,
HARDEMAN,
HEFLIN,
BEAN,
CHAMBERS,

On the part of the House.

Conference Committee substitute for House Bill No. 247,

A BILL

To Be Entitled

An Act amending Article 6078, Revised Civil Statutes of Texas, 1925, Chapter 53, page 102, Acts 1915 of the Thirty-fourth Legislature, as amended; so as to authorize each commissioners court to levy a tax for the purchase and improvement of lands for use as county parks; providing for submission of the proposition to and ratification by the taxpaying voters at a general or special election called for that purpose, and requiring a two-thirds majority; providing for establishment of two or more county parks at widely separate portions of the county; authorizing the commissioners court to exercise full power and control over any such parks and empowering said court to levy and collect an annual tax to properly maintain said parks, and to build, construct and otherwise improve said parks; providing that said parks are to remain open for the free use of the public under the reasonable rules and regulations of the court; providing a saving clause; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

That Article 6078, Revised Civil Statutes of Texas, 1925, Chapter 53, page 102, Acts 1915 of the Thirty-fourth Legislature, as heretofore amended, be amended so as to be read as follows:

"Article 6078. Section 1. Each commissioners court is authorized to levy and collect a tax not to exceed five cents on each one hundred (\$100.00) dollars of assessed valuation of the county for the purchase and improvement of lands for use as county parks. No such tax shall be levied and collected until the proposition is submitted to and ratified by the property tax-paying voters of the county at a general or special election called for that purpose, provided, a two-thirds majority of the property tax-paying voters of such county, at an election held for such purpose shall determine in favor of said tax. If said court desires to establish two or more of such county parks, they shall locate them in widely separated portions of the county. Said court shall have full power and control over any and all such parks and may levy and collect an annual tax sufficient in their judgment to properly maintain such parks and build and construct pavilions and such other buildings as they may deem necessary, lay out and open driveways and walks, pave the same or any part thereof, set out trees and shrubbery, construct ditches or lakes, and make such other improvements as they may deem proper. Such parks shall remain open for the free use of the public under such reasonable rules and regulations as said court may prescribe.

"Sec. 2. All parks acquired by authority of this Act shall be under the control and management of the county acquiring the same, provided that the Commissioners Court may by agreement with the State Parks Board turn the land over to the State Parks Board to be operated as a public park; the expense of the improvement and operation of such park to be paid by the county and/or cooperative Federal agencies according to the agreement to be made between such county and the State Parks Board.

"Sec. 3. If any section, subsection, paragraph, sentence, clause, or

provision of this Act shall, for any reason, be held invalid, such invalidity shall not affect any other portion of this Act or the application of such section, subsection, paragraph, sentence, clause, or provision to any other person or situation, but this Act shall be construed and enforced as if such invalid provisions had not been contained therein."

Sec. 4. The fact that the present law governing the subject matter of this Act is inadequate, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in both Houses be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mrs. Colson the report was adopted by the following vote:

Yeas—132

Allen	Dickson of Bexar
Allison	Donald
Alsup	Dove
Anderson	Duckett
Avant	Dwyer
Bailey	Ellis
Baker	Eubank
Bean	Evans
Bell	Favors
Benton	Ferguson
Blankenship	Files
Boone	Fuchs
Bray	Gandy
Bridgers	Garland
Brown	Gilmer
Bullock	Goodman
Bundy	Halsey
Burkett	Hanna
Burnaman	Hardeman
Carlton	Hargis
Carrington	Harris of Dallas
Cato	Hartzog
Celaya	Heflin
Chambers	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howard
Connelly	Howington
Craig	Hoyo
Crossley	Huddleston
Daniel	Huffman
Davis	Hughes
Deen	Humphrey

Hutchinson	Moore
Jones	Morris
Kelly	Morse
Kennedy	Murray
Kersey	Pace
Kinard	Pevehouse
King	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Reed of Dallas
Little	Ridgeway
Leyendecker	Rhodes
Lock	Roberts
Love	Sallas
Lowry	Senterfitt
Lucas	Sharpe
Lyle	Simpson
McAlister	Skiles
McCann	Smith of Bastrop
McDonald	Spacek
McGlasson	Spangler
McLellan	Stubbs
McMurry	Taylor
McNamara	Thornton
Manford	Turner
Manning	Vale
Markle	Walters
Martin	Wattner
Matthews	Weatherford
Mills	White
Montgomery	Whitesides

Absent

Brawner	Roark
Bruhl	Shell
Crosthwait	Stanford
Dickson of Nolan	Stinson
Parker	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

Mrs. Colson moved to reconsider the vote by which the House adopted the Conference Committee report on House Bill No. 247 and to table the motion to reconsider.

The motion to table prevailed.

**SENATE BILL NO. 417 ON
SECOND READING**

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 417, A bill to be entitled "An Act to amend Article 637 of the Penal Code of Texas so that the

same shall read as hereinafter stated, and providing for the destruction of gambling equipment and paraphernalia by order of the court; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**SENATE BILL NO. 417 ON
THIRD READING**

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Gandy
Allison	Gilmer
Alsup	Goodman
Anderson	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bell	Harris of Dallas
Benton	Hartzog
Boone	Heflin
Bridgers	Helpinstill
Brown	Henderson
Bullock	Hobbs
Burkett	Howard
Burnaman	Howington
Carlton	Hoyo
Carrington	Huffman
Cato	Hughes
Celaya	Humphrey
Chambers	Hutchinson
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kersey
Connelly	Kinard
Craig	King
Crossley	Klingeman
Daniel	Knight
Davis	Lansberry
Dickson of Bexar	Lehman
Donald	Little
Dove	Leyendecker
Duckett	Lock
Dwyer	Love
Ellis	Lowry
Eubank	Lucas
Evans	Lyle
Favors	McCann
Ferguson	McDonald
Files	McLellan
Fuchs	McMurry

Manford	Senterfitt
Manning	Sharpe
Markle	Shell
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Moore	Spacek
Morris	Spangler
Morse	Stinson
Pace	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Walters
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Roberts	Whitesides
Sallas	

Nays—2

Bray McNamara

Absent

Bean	McAlister
Blankenship	McGlasson
Brawner	Martin
Bruhl	Murray
Bundy	Parker
Crosthwait	Rhodes
Deen	Roark
Dickson of Nolan	Stanford
Garland	Stubbs
Hileman	Winfree
Huddleston	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Chair then laid Senate Bill No. 417 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111

Allen	Carlton
Allison	Carrington
Alsup	Cato
Avant	Chambers
Bailey	Clark
Bell	Cleveland
Benton	Coker
Boone	Colson, Mrs.
Bridgers	Connelly
Brown	Craig
Bullock	Crossley
Burkett	Daniel
Burnaman	Davis

Deen	Lucas
Dickson of Bexar	Lyle
Donald	McCann
Dove	McDonald
Duckett	McMurry
Dwyer	McNamara
Ellis	Manford
Eubank	Manning
Favors	Markle
Ferguson	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Gilmer	Moore
Goodman	Morse
Hanna	Murray
Hargis	Pace
Harris of Dallas	Pevehouse
Heflin	Phillips
Helpinstill	Price
Hileman	Rampy
Hobbs	Reed of Bowie
Howard	Reed of Dallas
Howington	Ridgeway
Hoyo	Rhodes
Huffman	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Spacek
King	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Wattner
Leyendecker	Weatherford
Little	White
Love	Whitesides
Lowry	

Nays—1

Bray

Absent

Anderson	Henderson
Baker	Huddleston
Bean	Lock
Blankenship	McAlister
Brawner	McGlasson
Bruhl	McLellan
Bundy	Morris
Celaya	Parker
Crosthwait	Roark
Dickson of Nolan	Spangler
Evans	Stanford
Files	Stinson
Halsey	Stubbs
Hardeman	Walters
Hartzog	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

(Speaker in the Chair.)

SENATE BILL NO. 420 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 420, A bill to be entitled "An Act amending Art. 2338, Revised Civil Statutes of Texas, 1925, to make its provisions applicable where a child has been adjudged a delinquent child; repealing laws in conflict; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 420 ON
THIRD READING

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Allen	Crossley
Allison	Crosthwait
Alsop	Daniel
Avant	Davis
Bailey	Deen
Baker	Dickson of Bexar
Benton	Dickson of Nolan
Boone	Donald
Bray	Dove
Bridgers	Duckett
Brown	Dwyer
Bullock	Ellis
Bundy	Eubank
Burkett	Evans
Burnaman	Favors
Carlton	Ferguson
Carrington	Files
Cato	Fuchs
Chambers	Gandy
Cleveland	Garland
Coker	Gilmer
Colson, Mrs.	Goodman
Connelly	Halsey
Craig	Hanna

Hardeman
Hargis
Harris of Dallas
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Huffman
Hughes
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McCann
McDonald
McGlasson
McLellan
McMurry
McNamara

Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morse
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roberts
Sallas
Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Spacek
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Vale
Wattner
Weatherford
White
Whitesides

Nays—1

Murray

Absent

Anderson	Humphrey
Bean	King
Bell	McAlister
Blankenship	Morris
Brawner	Roark
Bruhl	Stubbs
Celaya	Walters
Clark	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Speaker then laid Senate Bill No. 420 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—127

Allen	Howard
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Benton	Hutchinson
Boone	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bullock	Kersey
Bundy	Kinard
Burkett	Klingeman
Burnaman	Knight
Carlton	Lansberry
Carrington	Lehman
Cato	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McCann
Crossley	McDonald
Crothwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morse
Favors	Pace
Ferguson	Parker
Files	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Rampy
Gilmer	Reed of Bowie
Goodman	Reed of Dallas
Halsey	Ridgeway
Hanna	Rhodes
Hardeman	Roberts
Hargis	Sallas
Harris of Dallas	Senterfitt
Hartzog	Sharpe
Heflin	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Spacek

Spangler
Stanford
Stinson
Taylor
Thornton
Turner

Vale
Wattner
Weatherford
White
Whitesides

Nays—1

Murray

Absent

Anderson
Bean
Bell
Blankenship
Brawner
Bruhl
Celaya
Humphrey

King
McAlister
Morris
Roark
Stubbs
Walters
Winfree

Absent—Excused

Fitzgerald
Harris of Hill
Morgan

Nicholson
Smith of Atascosa
Voigt

HOUSE BILL NO. 16 WITH SEN-
ATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 16, A bill to be entitled "An Act amending Subdivision 83 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, working men, wage earners, and farmers to protect themselves in their various pursuits; vesting authority in the Commissioner of Labor Statistics to make investigation for charters and amendments to charters for such purposes; and declaring an emergency."

On motion of Mr. Bell the House concurred in the Senate Amendments by the following vote:

Yeas—119

Allison
Alsup
Avant
Bailey
Baker
Bell
Benton
Boone
Bray
Bridgers

Bullock
Bundy
Burkett
Burnaman
Carlton
Carrington
Cato
Chambers
Clark
Cleveland

Coker	Lock
Colson, Mrs.	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Crosthwait	McCann
Daniel	McDonald
Davis	McGlasson
Deen	McLellan
Dickson of Bexar	McMurry
Donald	McNamara
Duckett	Manning
Ellis	Markle
Eubank	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Gandy	Moore
Garland	Morris
Goodman	Morse
Halsey	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Phillips
Hartzog	Price
Heflin	Rampy
Helpinstill	Reed of Bowie
Henderson	Reed of Dallas
Hileman	Ridgeway
Hobbs	Rhodes
Howard	Roberts
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Sharpe
Huffman	Shell
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Spacek
Jones	Stinson
Kelly	Taylor
Kennedy	Thornton
Kersey	Turner
Kinard	Vale
Klingeman	Walters
Knight	Wattner
Lansberry	Weatherford
Lehman	White
Leyendecker	Whitesides
Little	

Absent

Allen	Dwyer
Anderson	Files
Bean	Fuchs
Blankenship	Gilmer
Brawner	Harris of Dallas
Brown	King
Bruhl	McAlister
Celaya	Manford
Dickson of Nolan	Pevehouse
Dove	Roark

Spangler	Stubbs
Stanford	Winfree
Absent—Excused	
Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Kersey offered the following resolution:

H. C. R. No. 108, To provide for adjournment Sine Die.

Whereas, The 120-day Session of the Legislature will expire next Tuesday week, May 13, at midnight; and

Whereas, This Legislature has passed more major legislation than any Legislature in the history of Texas; and

Whereas, It is important and highly desirable that a day be named for sine die; and

Whereas, Unless a day certain is named we will not know when the Rules of the House with reference to the limitation of the discussion of bills, the Seventy-two Hour Rule, the Forty-eight Hour Rule and other rules of procedure apply; now, therefore, be it

Resolved by the House of Representatives of the Forty-seventh Legislature, the Senate concurring, That the Regular Session of the Forty-seventh Legislature adjourn sine die on Tuesday, May 13, 1941, at 12:00 o'clock midnight.

The resolution was read second time.

Mr. Hartzog moved to table the resolution.

Question recurring on the motion to table. Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—101

Allison	Bell
Alsup	Benton
Anderson	Blankenship
Avant	Bray
Bailey	Bridgers
Baker	Brown
Bean	Bruhl

Bundy	Kelly
Burkett	Kinard
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Chambers	Leyendecker
Cleveland	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Crossley	McCann
Daniel	McDonald
Deen	McGlasson
Dickson of Bexar	McLellan
Donald	McMurry
Dove	Manford
Duckett	Manning
Eubank	Markle
Evans	Martin
Favors	Matthews
Ferguson	Mills
Files	Montgomery
Fuchs	Moore
Gandy	Morris
Garland	Morse
Gilmer	Murray
Goodman	Pace
Hanna	Price
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Hartzog	Ridgeway
Heflin	Rhodes
Henderson	Sallas
Hileman	Senterfitt
Hobbs	Skiles
Howington	Spangler
Huddleston	Stinson
Huffman	Thornton
Hughes	Turner
Humphrey	Wattner
Hutchinson	White
Isaacks	Whitesides
Jones	

Nays—28

Bullock	McAlister
Celaya	McNamara
Craig	Parker
Crosthwait	Phillips
Davis	Rampy
Ellis	Roberts
Halsey	Sharpe
Harris of Dallas	Shell
Helpinstill	Simpson
Hoyo	Smith of Bastrop
Kennedy	Spacek
Kersey	Taylor
Little	Vale
Lyle	Walters

Absent

Allen	Boone
-------	-------

Brawner	Pevehouse
Clark	Roark
Dickson of Nolan	Stanford
Dwyer	Stubbs
Howard	Weatherford
King	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 969, A bill to be entitled "An Act providing that the closed season on fishing in Blanco County shall be during the months of February, March and April, repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

The Senate has refused to concur in House Amendments to Senate Bill No. 282 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Brownlee, Smith, Martin, Kelley and Fain.

The Senate refused to adopt House Concurrent Resolution No. 107, authorizing the Enrolling Clerk of the House to make certain changes in House Bill No. 8, by a viva voce vote.

The Senate has concurred in House Amendments to Senate Bill No. 209 by the following vote: Yeas, 28; nays, 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE JOINT RESOLUTION
NO. 16 ON THIRD
READING

Mr. Sharpe moved that the necessary Rules be suspended, for the purpose of taking up and consider-

ing, at this time, House Joint Resolution No. 16.

The motion prevailed by the following vote:

Yeas—87

Allison	Isaacks
Alsup	Jones
Anderson	Kelly
Avant	Kennedy
Bailey	Klingeman
Bell	Knight
Benton	Love
Blankenship	Lucas
Bray	Lyle
Brown	McCann
Bruhl	McDonald
Bullock	McGlasson
Bundy	McMurry
Burnaman	McNamara
Carrington	Manford
Cato	Manning
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Montgomery
Connelly	Moore
Crosthwait	Morse
Daniel	Pace
Deen	Phillips
Donald	Rampy
Dove	Ridgeway
Duckett	Rhodes
Ellis	Sallas
Eubank	Senterfitt
Evans	Sharpe
Favors	Shell
Ferguson	Simpson
Fuchs	Smith of Bastrop
Gandy	Spacek
Garland	Stinson
Halsey	Stubbs
Hargis	Taylor
Heflin	Thornton
Helpinstill	Turner
Henderson	Vale
Hileman	Walters
Hobbs	Weatherford
Hoyo	White
Huffman	Whitesides
Hutchinson	

Nays—38

Baker	Dickson of Bexar
Boone	Gilmer
Bridgers	Goodman
Burkett	Hanna
Carlton	Hardeman
Chambers	Harris of Dallas
Craig	Howington
Crossley	Huddleston
Davis	Hughes

Humphrey	Mills
Kersey	Morris
Kinard	Murray
Lansberry	Parker
Lehman	Price
Leyendecker	Reed of Bowie
Lowry	Roberts
McAlister	Skiles
McLellan	Spangler
Matthews	Wattner

Absent

Allen	Howard
Bean	King
Brawner	Little
Celaya	Lock
Clark	Pevehouse
Dickson of Nolan	Reed of Dallas
Dwyer	Roark
Files	Stanford
Hartzog	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Speaker then laid before the House, on its third reading and final passage,

H. J. R. No. 16, Proposing an amendment to the Constitution of the State of Texas, fixing a four year term of office for State Representatives, and fixing the term of office for County Commissioners at four years.

The resolution was read third time.

Mr. Favors offered the following amendment to the resolution:

"Amend House Joint Resolution No. 16 in the proper place so as to include the Justice of the Peace."

The amendment was adopted.

Mr. Love offered the following amendment to the resolution:

"Amend House Joint Resolution No. 16 by fixing the term of office of the State Senate at 4 years."

The amendment was adopted.

On motion of Mr. Carlton, and by unanimous consent of the House the resolution was amended so as to fix the term of constables at four years.

Mr. Evans offered the following amendment to the resolution:

Amend House Joint Resolution No. 16 by adding a new section to be properly numbered and read as follows:

Section 1. That Section 24 of Article 111 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Sec. 24. Members of the Legislature shall receive from the public Treasury a salary of Ten Dollars (\$10.00) per day and the Members of both House of Representatives and the Senate shall be subject to call at any time.

"In addition to the salary the Members of each House shall be entitled to mileage in going to and returning from the seat of Government at the rate of five cents (5c) per mile, the distance to be computed by the nearest and more direct route of travel, from a table of distance prepared by the State Comptroller to each County seat now or hereafter to be established; no member shall be entitled to mileage for an extra-session that may be called within one day after the adjournment of the Regular Call Session."

The amendment was adopted.

Mr. Huffman moved to reconsider the vote by which the amendment by Mr. Evans was adopted.

Mr. Evans moved to table the motion to reconsider.

The motion to table prevailed.

Mr. Dickson of Bexar offered the following amendment to the resolution:

Amend House Joint Resolution No. 16 by inserting at the end of Section 2 the following:

"Provided that the Governor shall be elected for a term of four years and shall not be eligible to succeed himself."

The amendment was adopted.

Mr. Davis moved to reconsider the vote by which the amendment by Mr. Dickson of Bexar was adopted.

Mr. Dickson of Bexar moved to table the motion to reconsider.

The motion to table was lost.

Question then recurring on the

motion to reconsider the vote by which the amendment by Mr. Dickson of Bexar was adopted, it prevailed.

Mr. Lucas raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Question: Shall the amendment by Mr. Dickson of Bexar be adopted?

Mr. Davis offered the following substitute for the amendment by Mr. Dickson of Bexar:

Amend House Joint Resolution No. 16 by inserting at the end of Section 2 the following:

"Provided that the Governor and the Lieutenant Governor shall be elected for a term of four years."

DAVIS,
McMURRY,
DICKSON of Bexar.

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Carlton moved to table House Joint Resolution No. 16.

The motion to table was lost.

Mr. Eubank moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion to adjourn was lost.

Mr. Dickson of Bexar offered the following amendment to the resolution:

Amend House Joint Resolution No. 16 by striking out in Section 1 the words "four years" and substituting the words "two years."

DICKSON of Bexar,
HARDEMAN.

Mr. Manning moved the previous question on the pending amendment and the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Question then recurring on the

amendment by Mr. Dickson of Bexar, it was adopted.

On motion of Mr. Hartzog, and by unanimous consent of the House, the term of Senators was fixed at four years, in the provisions of the resolution.

Mr. Simpson offered the following amendment to the resolution:

Amend House Joint Resolution No. 16 by adding a new section to read as follows:

"That all Members of the Senate and House of Representatives shall receive a salary of \$10.00 per day for the full term, but said Members shall not work for any other person, firm or corporation."

On motion of Mr. McMurry, the amendment by Mr. Simpson was tabled.

Mr. Howington moved the previous question on the resolution, and the main question was ordered.

By unanimous consent of the House, the caption of the resolution was ordered amended to conform to all changes and with the body of the resolution.

House Joint Resolution No. 16 failed to pass by the following vote, not receiving the necessary 100 votes:

Yeas—87

Allen	Dickson of Nolan
Alsup	Donald
Avant	Duckett
Baker	Eubank
Bean	Evans
Bell	Favors
Blankenship	Ferguson
Boone	Files
Bray	Fuchs
Brown	Garland
Bruhl	Halsey
Bullock	Hanna
Bundy	Hargis
Carlton	Harris of Dallas
Cato	Hartzog
Celaya	Heflin
Cleveland	Henderson
Colson, Mrs.	Hobbs
Connelly	Hoyo
Craig	Huddleston
Crossley	Huffman
Crothwait	Hutchinson
Deen	Kelly
Dickson of Bexar	Kennedy

Klingeman
Knight
Lehman
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McMurry
McNamara
Manford
Manning
Markle
Martin
Montgomery
Pevehouse

Rampy
Reed of Bowie
Ridgeway
Rhodes
Roark
Sallas
Senterfitt
Sharpe
Shell
Smith of Bastrop
Spacek
Stubbs
Thornton
Turner
Vale
Wattner
Weatherford
White
Whitesides

Nays—47

Allison	Kersey
Anderson	King
Bailey	Lansberry
Benton	Little
Bridgers	McLellan
Burkett	Matthews
Burnaman	Mills
Carrington	Morris
Chambers	Morse
Clark	Murray
Daniel	Pace
Davis	Parker
Dove	Phillips
Ellis	Price
Gandy	Reed of Dallas
Gilmer	Roberts
Goodman	Simpson
Helpinstill	Skiles
Hileman	Spangler
Howard	Stanford
Howington	Stinson
Hughes	Taylor
Isaacks	Walters
Jones	

Absent

Brawner	Kinard
Coker	Leyendecker
Dwyer	Moore
Hardeman	Winfree
Humphrey	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

Mr. Skiles moved to reconsider the vote by which House Joint Resolution No. 16 failed to pass and asked

to have the motion to reconsider spread on the Journal.

MESSAGE FROM THE SENATE

Austin, Texas, April 30, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 444.

The following have been appointed on the part of the Senate:

Senators Metcalfe, Moffett, Aikin, Lovelady and Mauritz.

The Senate has refused to concur in House amendments to Senate Bill No. 312, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Kelley, Stone, Winfield, Brownlee and Formby.

Passed

H. B. No. 364, A bill to be entitled "An Act amending Article 2700, Revised Civil Statutes of Texas, 1925, pertaining to the salaries of elective County Superintendents and to office and traveling expenses, etc.; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 454 ON SECOND READING

The Speaker laid before the House, as special order, on its second reading and passage to engrossment,

H. B. No. 454, A bill to be entitled "An Act creating and providing for a Merit System Council; defining certain terms; providing qualifications for members of the Council and for their terms of office; providing for the Council's organization and meetings, and the compensation of members, providing its duties and powers; permitting State agencies to expend State and Federal funds for

services rendered by the Merit System Council; appropriating Federal funds for use for the purposes for which they were granted; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Question: Shall House Bill No. 454 pass to engrossment?

REQUEST OF SENATE GRANTED

On motion of Mr. Carrington, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 282.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee:

Messrs. Carrington, Stanford, Lansberry, Hughes and Lyle.

REQUEST OF SENATE GRANTED

On motion of Mr. Celaya, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 312.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee:

Messrs. Celaya, Benton, Halsey, Smith of Bastrop and Mills.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

April 30th, 1941.

To the Members of the Forty-seventh Legislature:

An emergency has arisen in the Old Age Pension Division of the Department of Public Welfare which will cause the old age pension checks to be cut during the months of May, June, July and August of this year, unless some action is taken by the Legislature immediately.

I, therefore, urge that you provide funds immediately so that these pension checks will not have to be cut

during this period of time. The revenue from the new tax bill is expected to take care of this matter after August of this year.

According to the figures furnished me by the Department of Public Welfare, the amounts needed to take care of this emergency are as follows:

May—One Hundred Seventy-five Thousand Dollars (\$175,000);

June—Two Hundred Thirty-two Thousand Dollars (\$232,000);

July—Two Hundred Forty-eight Thousand Dollars (\$248,000);

August—Three Hundred Seventy-three Thousand Dollars (\$373,000);

Total—One Million, Twenty-eight Thousand Dollars (\$1,028,000).

I am submitting this as emergency legislation and trust you will give it your prompt and careful consideration.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

TEXT OF BILL SUBMITTED
BY GOVERNOR

H. B. No.—,

A BILL
To Be Entitled

An Act authorizing the State Treasurer to set aside certain monies from revenues to the credit of the State Department of Public Welfare Fund before said collected revenues are deposited to the General Revenue Fund; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. From and after the effective date of this Act, the Treasurer of the State of Texas, as he receives any and all moneys from all sources of revenue for the use and benefit of and which, under present laws, would go into the General Fund of the State, shall, daily, and beginning with the first day of each respective month, set apart out of the first monies thus received the following sums:

For the month of May\$175,000.00
For the month of June 232,000.00
For the month of July 248,000.00
For the month of August 373,000.00

and deposit said sums to the credit of the State Department of Public

Welfare Fund for the purpose of paying old age assistance grants.

Sec. 2. Provided, that the accumulations into said fund for the month of May shall begin on the morning of the day following the enactment and final approval of this Act.

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. The fact that the State Department of Public Welfare Fund does not at the present time have sufficient monies available to pay old age assistance grants for the months of May, June, July and August, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

HOUSE BILL NO. 620 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 620, A bill to be entitled "An Act amending Section 2 of Chapter 5, Acts Second Called Session of the Forty-third Legislature, as amended by Chapter 459, Acts Second Called Session of the Forty-fourth Legislature; and declaring an emergency."

The bill was read second time.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 620 by striking out in lines 27, 28 and 29, page 1, the words "for the use of a library, or for the use of a student activity building, . . . or for the use of a gymnasium."

The amendment was adopted.

(Mr. Kersey in the Chair.)

Mr. Lowry moved that House Bill No. 620 be tabled.

The motion to table was lost.

Mr. Heflin offered the following amendment to the bill:

Amend House Bill No. 620, Section Two (2), line 31, by striking

out the period at the end of the sentence and add the following:

"these charges shall be in lieu of any charges made for hospitalization."

HEFLIN,
McALISTER.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 620 was then passed to engrossment.

HOUSE BILL NO. 620 ON THIRD READING

Mr. Skiles moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 620 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen	Dove
Allison	Duckett
Alsup	Dwyer
Anderson	Ellis
Avant	Eubank
Bailey	Evans
Baker	Favors
Bean	Ferguson
Bell	Files
Benton	Fuchs
Blankenship	Gandy
Boone	Gilmer
Bray	Goodman
Bridgers	Hanna
Brown	Hargis
Bruhl	Harris of Dallas
Bullock	Hartzog
Carlton	Heflin
Carrington	Helpinstill
Cato	Hileman
Chambers	Hobbs
Cleveland	Howard
Coker	Howington
Colson, Mrs.	Hoyo
Connelly	Huffman
Craig	Humphrey
Crossley	Hutchinson
Crosthwait	Isaacks
Daniel	Jones
Deen	Kelly
Dickson of Bexar	Kennedy
Donald	Kersey

King	Price
Klingeman	Rampy
Knight	Reed of Bowie
Lansberry	Reed of Dallas
Lehman	Ridgeway
Leyendecker	Rhodes
Little	Roark
Lock	Roberts
Lucas	Senterfitt
Lyle	Sharpe
McAlister	Shell
McCann	Simpson
McDonald	Skiles
McMurry	Spacek
Manford	Spangler
Manning	Stanford
Markle	Stinson
Martin	Stubbs
Matthews	Taylor
Moore	Thornton
Morris	Turner
Morse	Vale
Murray	Walters
Pace	Wattner
Parker	Weatherford
Phillips	Whitesides

Nays—8

Burkett	McGlasson
Burnaman	McLellan
Love	McNamara
Lowry	Mills

Present—Not Voting

Davis

Absent

Brawner	Huddleston
Bundy	Hughes
Celaya	Kinard
Clark	Montgomery
Dickson of Nolan	Pevhouse
Garland	Sallas
Halsey	Smith of Bastrop
Hardeman	White
Henderson	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Chair then laid House Bill No. 620 before the House on third reading and final passage.

The bill was read third time.

Mr. Love offered the following amendment to the bill:

Amend House Bill No. 620 by providing that no fee shall be levied

on any student who because of religious belief does not use the services of a hospital.

The amendment was lost by the following vote:

Yeas—27

Boone	Lowry
Burkett	McCann
Burnaman	McGlasson
Chambers	McLellan
Colson, Mrs.	Matthews
Crosthwait	Murray
Halsey	Parker
Hileman	Phillips
Humphrey	Rampy
Kelly	Roark
Knight	Roberts
Lansberry	Simpson
Lock	Taylor
Love	

Nays—90

Allen	Hanna
Allison	Hargis
Alsup	Harris of Dallas
Anderson	Helpinstill
Avant	Howard
Bailey	Howington
Baker	Hoyo
Bean	Huffman
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Bray	Kennedy
Bridgers	King
Brown	Klingeman
Bruhl	Lehman
Bullock	Leyendecker
Carrington	Lucas
Cato	Lyle
Cleveland	McDonald
Coker	McMurry
Connelly	McNamara
Craig	Manford
Crossley	Manning
Daniel	Markle
Deen	Martin
Dickson of Bexar	Mills
Donald	Moore
Dove	Morse
Duckett	Pace
Ellis	Price
Eubank	Reed of Bowie
Evans	Reed of Dallas
Favors	Ridgeway
Ferguson	Rhodes
Files	Senterfitt
Fuchs	Sharpe
Gandy	Shell
Garland	Skiles
Gilmer	Spacek

Spangler	Vale
Stanford	Walters
Stinson	Wattner
Stubbs	Weatherford
Thornton	White
Turner	Whitesides

Present—Not Voting

Davis

Absent

Brawner	Huddleston
Bundy	Hughes
Carlton	Kersey
Celaya	Kinard
Clark	Little
Dickson of Nolan	McAlister
Dwyer	Montgomery
Goodman	Morris
Hardeman	Pevehouse
Hartzog	Sallas
Heflin	Smith of Bastrop
Henderson	Winfree
Hobbs	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

House Bill No. 620 was then passed by the following vote:

Yeas—106

Allen	Dickson of Bexar
Alsup	Donald
Anderson	Dove
Avant	Duckett
Baker	Dwyer
Bean	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Favors
Brawner	Ferguson
Bray	Files
Bridgers	Fuchs
Brown	Gandy
Bruhl	Garland
Bullock	Gilmer
Carlton	Halsey
Carrington	Hanna
Cato	Hardeman
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Helpinstill
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huffman
Crossley	Humphrey
Crosthwait	Hutchinson
Daniel	Isaacks
Deen	Jones

Kelly	Reed of Dallas
Kennedy	Ridgeway
King	Rhodes
Klingeman	Roark
Knight	Roberts
Lehman	Sallas
Leyendecker	Senterfitt
Lucas	Shell
Lyle	Simpson
McAlister	Skiles
McDonald	Spacek
McMurry	Spangler
Manford	Stanford
Manning	Stinson
Markle	Stubbs
Matthews	Taylor
Montgomery	Thornton
Moore	Turner
Morris	Vale
Morse	Walters
Pace	Wattner
Parker	Weatherford
Rampy	White
Reed of Bowie	Whitesides

Nays—19

Allison	Love
Bailey	Lowry
Bundy	McGlasson
Burkett	McLellan
Burnaman	McNamara
Davis	Martin
Hileman	Mills
Hobbs	Murray
Lansberry	Phillips
Lock	

Present—Not Voting

Boone

Absent

Celaya	Kinard
Dickson of Nolan	Little
Goodman	McCann
Hartzog	Pevehouse
Heflin	Price
Henderson	Sharpe
Huddleston	Smith of Bastrop
Hughes	Winfree
Kersey	

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

(Speaker in the Chair.)

Mr. Skiles moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

ADDITIONAL SIGNERS OF HOUSE BILL NO. 942

By unanimous consent of the House, the following Members were authorized to sign bill as coauthors of same, as follows:

Mr. Lansberry and Mr. Bray: House Bill No. 942.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 42, To grant Bob Millard permission to sue the State.

S. B. No. 362, "An Act to fix the maximum rate of tax to be levied in all independent school districts having a scholastic population of not more than six hundred forty (640), etc.; and declaring an emergency."

S. B. No. 88, "An Act providing a special fishing license for those who fish in the waters of Lake Worth and Eagle Mountain Lake, or either of them, etc.; and declaring an emergency."

H. B. No. 969, "An Act providing that the closed season on fishing in Blanco County shall be during the months of February, March and April; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

RELATIVE TO HOUSE BILL NO. 8

Mr. Morris asked unanimous consent of the House that the Speaker of the House request the Attorney General to write the caption of House Bill No. 8.

There was no objection offered, and it was so ordered.

HOUSE BILLS ON FIRST READING

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McLellan, Mr. Lowry, Mr. Morris, Mr. Hardeman, Mr. Morse,

Mr. Isaacks, Mr. Hartzog, Mr. Carlton, Mr. Gilmer, Mr. Kersey, Mr. Chambers, Mr. Howington, Mr. Taylor and Mr. Celaya:

H. B. No. 983, A bill to be entitled "An Act repealing Article 1350, Revised Civil Statutes of Texas, 1925; amending Article 1351 so as to make the penalty therein provided apply specifically to Articles 1348 and 1349, Revised Civil Statutes of Texas, 1925; amending Article 1351, Revised Civil Statutes and Article 213, Penal Code of Texas, to prohibit corporations, their officers, directors, stockholders, employees and agents acting in their behalf, from expending or promising to expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office or to influence the vote on any question submitted to the voters; providing for an exception in elections directly affecting the granting, refusing, existence, or value of a franchise of a corporation which has the right of eminent domain, and providing that in such elections, all means of publicity employed by such corporation shall be identified as pay for by it; providing for the filing of accounts of expenditures made in connection with such elections by corporations, persons, partnerships and associations, and limiting the amount thereof; providing penalties for corporations, their officers, directors, stockholders, employees and agents violating this Act and increased penalties and forfeiture of charter or permit of such corporation on second and subsequent violations; providing penalties for persons, partnerships and associations failing to make or falsely making required reports of expenditures in certain elections or exceeding authorized limits thereof; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Montgomery, Mr. Winfree, Mr. Morse, Mr. Howard and Mr. Heflin:

H. B. No. 984, A bill to be entitled "An Act providing, in counties having a population of more than 500,000, for the extension for not to exceed 30 days after the expiration of the term, of the period during which

a grand jury may sit to conclude its investigation; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Kersey and Mr. Goodman:

H. B. No. 987, A bill to be entitled "An Act authorizing the State Treasurer to set aside certain monies from revenues to the credit of the State Department of Public Welfare Fund before said collected revenues are deposited to the General Revenue Fund; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Deen:

H. B. No. 988, A bill to be entitled "An Act to fix a maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which, according to the latest preceding Federal Census, had a population of not fewer than 680 and not more than 690 inhabitants, and being in counties containing not less than 4050 and not more than 4060 inhabitants, according to the last preceding Federal Census, whether organized under a general or special law; repealing all laws conflicting herewith; and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Bray asked unanimous consent to introduce at this time and have placed on first reading, House Bill No. 985.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Bray:

H. B. No. 985, A bill to be entitled "An Act requiring the Governor to make appointments within ten days of the date of the vacancy."

Referred to the Committee on State Affairs.

Mr. Hileman moved to introduce at this time, and have placed on first reading, House Bill No. 986.

The motion prevailed by the following vote:

Yeas—99

Allen	Hutchinson
Alsup	Isaacks
Avant	Jones
Bailey	Kelly
Baker	Kennedy
Bean	Kersey
Benton	Lehman
Blankenship	Little
Boone	Love
Bray	Lowry
Bridgers	Lucas
Brown	McCann
Bullock	McGlasson
Bundy	McMurry
Burkett	Markle
Burnaman	Martin
Carrington	Matthews
Celaya	Mills
Chambers	Montgomery
Cleveland	Moore
Coker	Morse
Colson, Mrs.	Murray
Connelly	Pace
Crossley	Parker
Crosthwait	Phillips
Daniel	Price
Davis	Rampy
Deen	Reed of Dallas
Dickson of Bexar	Ridgeway
Donald	Roark
Dove	Roberts
Duckett	Senterfitt
Favors	Sharpe
Ferguson	Shell
Files	Simpson
Gandy	Skiles
Hanna	Smith of Bastrop
Hargis	Spacek
Harris of Dallas	Stanford
Helpinstill	Stinson
Henderson	Stubbs
Hileman	Taylor
Hobbs	Thornton
Howard	Turner
Howington	Vale
Hoyo	Walters
Huddleston	Wattner
Huffman	Weatherford
Hughes	Whitesides
Humphrey	

Nays—19

Allison	Dwyer
Anderson	Ellis
Bruhl	Eubank
Carlton	Halsey
Craig	King

Knight	Manford
Lansberry	Morris
McAlister	Reed of Bowie
McLellan	White
McNamara	

Present—Not Voting

Cato

Absent

Bell	Kinard
Brawner	Klingeman
Clark	Leyendecker
Dickson of Nolan	Lock
Evans	Lyle
Fuchs	McDonald
Garland	Manning
Gilmer	Pevehouse
Goodman	Rhodes
Hardeman	Sallas
Hartzog	Spangler
Heflin	Winfree

Absent—Excused

Fitzgerald	Nicholson
Harris of Hill	Smith of Atascosa
Morgan	Voigt

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Hileman:

H. B. No. 986, A bill to be entitled "An Act to levy a tax of twenty (20%) per cent on all green fees collected at every golf course in this State; providing for the collection and remission of such taxes; fixing violations and prescribing penalties therefor; providing for the allocation of the sums derived from this Act; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

ADJOURNMENT

Mr. Manning moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Lehman moved that the House recess until 10:00 o'clock a. m. tomorrow.

The motion of Mr. Manning prevailed and the House, accordingly, at 6:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE
REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:

Constitutional Amendments: House House Joint Resolution Nos. 32 and 35.

State Affairs: Senate Bill No. 5; House Concurrent Resolution Nos. 92 and 104.

The Committee on Penitentiaries filed an adverse report with minority favorable report on House Bill No. 641.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 875, A bill to be entitled "An Act to amend Article 5221-b, Vernon's Annotated Statutes of Texas, as amended, by adding a new section to be known as Section 8-A; defining certain additional terms; making provisions with reference to the authority of the Unemployment Compensation Commission to make reasonable rules and regulations regarding seasonal workers; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 30, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 107, Authorizing the Enrolling Clerk of the House of Representatives to correct House Bill No. 8 by changing the word "entire" to "invested" where used incorrectly in the Van Zandt Senate amendment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 30, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 969, A bill to be entitled "An Act providing that the closed season on fishing in Blanco County shall be during the months of February, March and April; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

SIXTY-FIFTH DAY

(Thursday, May 1, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. G. H. Little of Potter County.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Craig
Allen	Crossley
Allison	Crothwait
Alsup	Daniel
Anderson	Davis
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bean	Donald
Bell	Duckett
Benton	Dwyer
Blankenship	Ellis
Boone	Eubank
Bray	Evans
Bridgers	Favors
Brown	Ferguson
Bruhl	Files
Bullock	Fuchs
Bundy	Gandy
Burkett	Garland
Burnaman	Gilmer
Carlton	Goodman
Carrington	Halsey
Cato	Hanna
Celaya	Hardeman
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Colson, Mrs.	Heflin
Connelly	Helpinstill